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POLAND.

AN HISTORICAL SKETCH.

POLAND

AN HISTORICAL SKETCH

BY

FIELD-MARSHAL COUNT VON MOLTKE

Authorized Translation, with a Biographical Notice

BY

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PREFACE.

THE present essay was written by Count Helmuth von Moltke upwards of half a century ago, when he was engaged in the Topographical Department of the Prussian *Generalstab* (1828-1831). Moltke, at that time a young lieutenant, was entrusted with the task of surveying and levelling in Silesia and the province of Posen, and he occupied his spare time with studying the history of Poland and the manners and customs of her unhappy population. The result was an essay on Poland, which appeared at Berlin in 1832. This was the time when the whole of Europe was stirred by events of vital importance, and as a matter of course,

the publication of the obscure Prussian officer remained unheeded, so that, as far as we know, it has not been mentioned in any biography of the author. The merit of having rescued this valuable contribution to the history of Poland from oblivion belongs to the able Berlin *littérateur*, Dr. G. Karpeles, who came across the essay in the course of his historical researches, and obtained the author's permission to republish it at home and to have it translated abroad.*

A higher value attaches to this essay than that of being the work of a well-known man, although in these days Moltke's name would suffice of itself to arouse interest for anything emanating from his pen. It not only presents us with a vivid picture of the various discordant elements which constituted Poland, but it explains how it was

* The German original was republished in the recent numbers of the monthly Review, *Vom Fels zum Meer*. We understand that a Polish and a Russian translation of *this essay* will also shortly appear.

possible for an entire kingdom to be dismembered with, comparatively speaking, so little difficulty. The Partition of Poland is but briefly touched upon, as the facts belong to a period of history which recent events had brought prominently before the public at the time when Moltke wrote.

Like a true historian, the author states his facts dispassionately and leaves us to draw the conclusions; it is this feature that constitutes the merit of his essay from an historical point of view. While a perusal of the sketch arouses our heart-felt sympathy for the struggles of all true Polish patriots, we cannot but feel that the dismemberment of the country was an historical necessity.

COUNT MOLTKE.

A BIOGRAPHICAL SKETCH.

THE days are past when the wielders of the sword and pen looked upon each other with contempt; from antagonists they have become faithful allies, and literature numbers among its votaries many of the world's best soldiers. Foremost among these stands Count Moltke. It is impossible to say with absolute certainty what path a man might have followed had the circumstances that directed his life been different, but looking at Moltke's writings, we cannot avoid thinking that the laurels which he won as a *soldier might* have been won as a writer.

But although his genius has displayed itself pre-eminently in a military career, he may also claim an honourable place in the world of letters.

Helmuth Karl Bernhard von Moltke was born in Mecklenburg, October 26th, 1800, so that his first childhood fell in the time when the land which he was to help raise to such greatness was abandoned to the conqueror. Pastor Knickbein, of Hohenfelde, was the first instructor of the future general and his brother, who in 1811 were sent to the Military Academy at Copenhagen. Moltke soon distinguished himself, and he passed his examinations brilliantly, but his life was not a very happy one. He was in a foreign land, separated from his family, surrounded by uncongenial companions—to quote his own words, he spent a “joyless childhood.” Six years’ study and, for those who like Moltke owed their training to the State, a year’s service as “court page,” were necessary in order to qualify

for military service in Denmark. At the end of that time, Moltke entered the army. The prospects of a Danish officer were not brilliant; there was no hope of advancement, and Moltke, whose parents had lost their property and were unable to assist him, followed the example of a large number of officers and left the Danish service. Nothing daunted by the fact that his former examinations and his term of service would not be taken into consideration, he determined to enter the German army, for birth and inclination stamped him as a German.

The next few years were spent in study. The attention of his superior officers was attracted by his industry and evident talent, and his promotion was a matter of course. In 1832 he was placed on the General Staff, and soon after he obtained leave of absence to enable him to travel. It was not merely the desire of change that induced him to take this step; he wished to increase his knowledge and *experience by studying closely the state*

of Turkish affairs, which were attracting much attention at the time. He went to Constantinople, intending to stay three weeks, but he remained four years—years which, full of privation, danger, and often disappointment, yet matured his genius and left him no regret at his undertaking.

When Moltke reached Constantinople, the Sultan, Mahmoud II., was attempting to replace the rotten foundations on which the constitution of his country rested, by a sounder and more durable structure. He had already sought for foreign aid to assist him in the reorganization of his army, but the results had proved unsatisfactory. Moltke made so good an impression on the Vizier Mehemed Chosref Pasha, that a request was addressed to the Prussian government to extend his leave. The request was granted and Moltke entered on his task with the energy and skill which he devoted to all his undertakings. He was the chief adviser of the Vizier on military matters, he

was commissioned to draw up plans of fortifications and other defences, and also a scheme for the reorganization of the army on the Prussian system. He had an interview with the Sultan, who was much pleased with him. Moltke accompanied him on his journeys through the land, and every facility for examining the fortresses was afforded him. He closely watched the course of affairs, with a view to ascertaining the causes that had led to the ruin of the empire; his ideas on this subject, and on the cause of the failure of Mahmoud's projected reforms, are embodied in the interesting collection of letters entitled *Briefe über Zustände und Begebnisse in der Türkei.*

Moltke was sent by the Sultan to take part in the Kurdish war and subsequently, in the war with Mehemet Ali. He trod paths in Asia Minor which no European had trodden before him, he was often in danger, but he profited by every new experience and he learnt to act with prompt-

ness and decision. His advice was not followed in the campaign against Mehemet Ali, and the result was that the Turkish army was defeated at Nisib and completely disbanded itself in the rout that followed. Moltke, his maps and plans lost, returned to Constantinople and soon after to Germany.

Moltke married in 1842, the daughter of an Englishman named Burt, and was in 1845 appointed adjutant to Prince Henry of Prussia, who resided at Rome. He spent his spare time in studying the topography of Rome, an account of which, accompanied by plans, was afterwards published. On the death of the Prince, he became equerry to the present Crown Prince, whom he accompanied on his journeys to London, Paris, and St. Petersburg.

He was appointed chief of the General Staff in 1858; he made his influence felt by all who came in contact with him, and under his direction were begun the army reforms

which led to the successes of 1866 and 1870. He was entrusted with the drawing up of plans for the defence of the North German coast, but in spite of the importance of these defences the diet at Frankfort, instigated by the jealousy of Prussia felt by the minor German states, refused to agree to the necessary work.

In 1861, the present Emperor ascended the throne. A united Germany was his dream, as it was that of his able ministers, Bismarck, Von Roon, Minister of War, and Moltke, men who stood by him in all his undertakings and whose efforts raised Germany to the height to which she has attained. It has been usual to say that "Bismarck was the head, Moltke the hand;" but it is questionable whether such grand results would have been achieved, had Moltke been no more than the hand that carried out Bismarck's plans.

The men on whom depended Germany's future knew that this future was likely to

be imperilled by her neighbours. While Bismarck and Von Roon fought out the question of supplies with the Chamber of Deputies, Moltke undertook the reorganization of army and staff. He was soon enabled to test the efficiency of his reforms in the Schleswig-Holstein war, and though he did not take as prominent a part in this war as in subsequent campaigns, he guided and superintended the whole and helped to bring matters to a successful issue.

The Prussian ministers felt that this was but the beginning — that sooner or later the conflict with Austria was inevitable. Austria was made up of so many heterogeneous states and had so many conflicting interests at stake, that it was impossible that her influence in the German diet should always be for Germany's good ; but it was highly improbable that she would resign her power without a struggle.

When the long discussions which had taken place relative to the fate of Schleswig-

Holstein were broken off and war was declared in 1866, Moltke was ready. Energy, attention to every detail, a thorough state of efficiency as regards all arrangements, care in the choice of officers, caution beforehand, promptness in striking at the right moment—these were the weapons with which Moltke fought for his country's integrity.

As the South-German states refused to remain neutral, it was necessary that a portion of the Prussian army should be employed in keeping them in check, but the Austrians presented the most serious danger—if they were defeated it was not likely that the minor German states would offer a long opposition. Moltke determined to move the main body of troops into Bohemia. This was achieved in spite of bad roads and ignorance of the whereabouts of the enemy. His skill in seizing every opportunity and the rapidity with which his orders were obeyed by troops, often weary

with long marches, led to the victory of Sadowa or Königgrätz, to the subsequent treaty with Austria; and to the submission of the states.

Austria was obliged to renounce her claim to the disputed provinces and to consent to her own exclusion from the German confederation. The supremacy of Prussia over the remaining German states was established.

The jealousy of France, which had so long kept Germany disunited, received a new stimulus from Prussia's victory, and her ministers foresaw that the excellence of the German army was likely to receive a new and severe test. Moltke had the task of supervising the preparations and of drawing up the plans. The veteran soldier accomplished his work so well, that when, in 1870, war was declared and orders were issued for the mobilization of the army, the date alone was wanting to complete the time-tables which announced the time of departure, &c.,

of every regiment. Each department had been attended to and the troops were ready some days earlier than even Moltke had thought possible. Every emergency that could be foreseen was provided for; whichever route the French took, Moltke's plans were in readiness and he could thoroughly rely on his generals. The state of the French army in those days is so well known, that it is needless to dwell upon the causes of Napoleon's failure in carrying out his plan of paralysing the efforts of the German army and forcing the southern states to maintain their neutrality. The French army was cut off from Paris, victory followed victory with astonishing rapidity. Bazaine was shut up in Metz; Macmahon, urged by the terrified government, went to his assistance, but was forced to retire into Sedan accompanied by the Emperor, and finally to surrender. Paris was besieged and the efforts of the French to raise new armies, were rendered futile by the vigilance of Moltke and his

generals. The details are so well known that it is not necessary to enlarge upon them. Suffice it to say that Paris capitulated and that Prussia's king became Germany's emperor.

Moltke was appointed field-marshal and received large grants of money, but surely the gratitude of his countrymen, the knowledge that he had saved his fatherland from the horrors of a defeat, and that he had helped to cement the bond that bound its members, must have been his greatest reward.

His speeches in the Upper Chamber, of which he is a life member, show how deeply he has the welfare of his country at heart. He seldom speaks, but when he does, the same note rings through his words: "Existence is the first necessity of a state, but in order to exist it must secure itself externally. The greatest crime a government can commit is to leave a country defenceless. Do not forget that what we save in our army

expenses during several years of peace may be lost in one year of war." (Speech of Feb. 16th, 1874.)

He is no advocate of war—he hopes the day will come when Europe will no longer be forced to maintain huge armies, but till that happy time comes, he insists that the hope of peace lies in the strength of a land; what has been gained by hard fighting is not to be risked for fear of expense. "As regards the peace-footing, I must impressively warn you," he says, "against allowing it to become a question of finance. I know that many honourable members of this House think it necessary to remain firm on this point, in order to secure the indisputable and undisputed right of the diet to control the public purse. But consider whether in doing so you are not impairing the right of the country to seek your support in a matter, where the very existence of the state is at stake." (Feb. 16th, 1874.)

The clearness and decision that charac-

terise his actions, mark his speeches and his writings; they are the work not of a mere soldier, but of a scholar. His style is straightforward and simple but full of strength, so that he has often been compared with Lessing. His work on the *Russisch-türkischer Feldzug in der europäischen Türkei*, 1828 und 1829, shows what power he has of striking at the root of a matter and laying bare the causes of failure.

No political rancour has dimmed the fame of Moltke or lessened the esteem of the nation; to his countrymen he is still what he was when his honours were newly won—a brave and skilled soldier and a true patriot.



P O L A N D.

AN HISTORICAL SKETCH.

I.

POLAND is the only country in which the organisation of the state had for its immediate result the character of the nobles. Nowhere else has the destiny of the state been equally dependent on the character, disposition, and habits of the nobles; for nowhere else were the nobles and the constitution identical.

When in remote times the Eastern plains of Europe were overrun by Slavonic nations, who spread from the Black Sea and the Adriatic to the shores of the Baltic and the Arctic Ocean, hordes of Tartars poured forth in rapid succession from the regions

deserted by the Sarmates, and forced this tribe of nomads to assume the character of warriors. Here, as everywhere, those men who had the means to procure a horse and weapons, and strength to use them, became the protectors of the newly-acquired territory.

Their wealth, the obligations it imposed, and the personal authority which was the result of both, became hereditary, for inheritance is as old as possession ; both are closely related, and the first result of social communion. A class was thus formed of nobles or of defenders, both words being identical in their primary meaning. The protected became dependent on the protector ; the power, privileges and influence of the latter increased, the relations between him and his equals assumed a republican character.

The military origin and the military tendencies of the nobles necessitated unity of command and unity of government, and here we find the origin of that part of the mo-

narchical principle which was adopted by the constitution in later times.

The nobles were in exclusive possession of all political rights; they formed the entire state. Poland was a republic made up of about 300,000 petty suzerainties, each of which was immediately connected with the state, and was subject to the whole body alone, acknowledging no kind of feudal superiority or of feudal dependence. No Polish noble was the vassal of a superior lord. Even the retainer, if a nobleman, shared the political rights of his master; the meanest of them appeared at the diet in the full enjoyment of that power which belonged to all without distinction. It is here that we find the fundamental difference between the Polish constitution and the feudal states of the West and the despotism of the East, and to our astonishment we see the very earliest political system of Europe, that of the Kelts, Franks, and Goths, surviving down to our own time.

Those Slavonic tribes, which at a much later period were known by the general name of Russians, owed their earliest culture, their religion, their manners, their customs, their alphabet, even a portion of their language, to the Greeks. But the Poles came under the influence of Western Europe, and at an early stage a wide divergence became manifest in the culture and development of these kindred races.

The mutual relations of the nobles were based upon perfect equality among all, and as much independence for the individual as was compatible therewith.

Starting from the principle that a free man cannot be taxed or governed contrary to his own declared will, the unanimous consent of all was required for resolutions dealing with these matters, in other words, for all laws; the dissent of a few or of a single individual sufficed for the rejection of a measure. We must therefore take it for granted that those nations which submitted to the decision of the

majority (and under no other condition can we now conceive a constitution to be stable), resolved at one period at least of their history to acknowledge the decision of the majority.* Thus by one last unanimous act the necessity for unanimity was done away with.

The Polish noble acknowledged his obligation to his country, he submitted to the law, but the law was to express the unanimous will of the nation. If he had acknowledged the power of the majority, he would have thought that he was yielding to tyranny; the principle of equality was carried so far that the will of the individual outweighed the will of the multitude, so that the dissent of one man in the field of election could annul the assent of 10,000 nobles, and the individual thus had the power of interfering with the machinery of the state and bringing it to a standstill.

We will first deal with the right of the

* J. J. Rousseau.

absolute veto (*liberum veto*), because, justifiable as it was in principle, dangerous in its use, ruinous in its abuse, the Poles have always considered it the most sacred pledge of their personal independence.

When habit and inclination scattered the Polish nobles in their distant estates, where the power of each was absolute, it became necessary to unite the common interests of the state in the person of a chief. It was owing to this spirit of independence that the chief, who latterly bore the inappropriate title of "king," was invested with the highest dignity, but by no means with the highest power. The dignity of the crown brought him no privileges beyond the right to appoint the state officials, to distribute the state domains, and to administer justice.

The election of the king depended upon the will of the assembled nobles. Whenever it happened that distinguished families were able for a time to make the crown hereditary among their members, the nation never

failed, on the extinction of the race, to reassert its right of election.

By the side of the king existed the senate. It consisted of bishops, woiwodes (*woy* = war, *wody* = leader) or palatines, and castellans, who were appointed by the king, but who (since the time of Casimir the Great) could not be deposed, and therefore possessed a high degree of freedom and independence.

The woiwodes or palatines were governors of a province or palatinate, and were at the head of the nobles in their province, acting as their leaders when they assembled for purposes of election or war. The right of fixing the price of all produce, of regulating the weights and measures, belonged to them, and they had their own courts of justice. After the palatines came the castellans, who were originally commanders in the royal cities and fortresses — non-hereditary burgraves. In their districts they had the privileges of palatines, and acted as their deputies during their absence. The original work of the

castellans was performed by the starosts (elders). The starosts administered justice in the towns, and received important grants of land as a reward for their services to the state. Only one of them, the Starost of Samogetia, had a seat in the senate.

That senate consisted of two archbishops, fifteen bishops, thirty-three palatines, eighty-five castellans, making a total of one hundred and thirty-five senators.

The Archbishop of Gnesen, as primate of the kingdom, stood at the head of the senate. He was next in rank to the king, and during the *interregnum* he actually filled the place of king; hence he was called *Inter Rex*. He was *legatus natus* of the pope, he received all royal honours, he had like the king his own marshal, his chancellor, and numerous mounted household troops.*

The king received the primate standing,

* "Avec un timbalier et des trompettes qui jouent quand il est à table et qui sonnent la diane et la retraite."
—*Histoire de J. Sobiesky*, par l'Abbé Coyer. Amsterdam.

and the latter had the right of remonstrating with him on his government, and of repeating his accusations in the senate or diet, if the king persisted in his course. In spite of the maxim, "The Church abhors bloodshed," a bull of Clement VIII. empowered the bishops to vote for war, to sign death warrants and to take part in the councils. 1592.

The senate gave temporary decisions until the next diet met, and shared the highest power with the king; it constantly strove to weaken the royal prerogative, until deprived of its own privileges by the diet.* The general tendency of the constitution shows that the great offices and dignities of the state were elective like the throne, and the repeated efforts to make them hereditary were rendered futile by the jealousy of the entire body. Since the offices of palatine (which may be compared to the ducal dignity of the Teutonic races), of castellan and of starost were not hereditary,

* Solignac.

it was impossible for an electorate, a peerage, or a higher nobility to exist by the side of the monarchy, and thus to enable the latter to take firm root in the people.*

It is true that the right of nomination to these offices was vested in the king alone, but as he was not able to depose men whom he had chosen, the royal power was felt less by those who held the high offices than by those who did not hold them. The king was therefore surrounded by flattering courtiers rather than by dependent state officials; the former were possibly attached to the interest of the crown by their expectations, the latter at most by their gratitude. To those who sought important offices, they were gifts depending on the royal favour, to those who had obtained them, they were the property of the republic, and the bestowal of one such place generally created a hundred discontented men and one ungrateful one.

* Rhulière, "*Histoire de l'Anarchie de Pologne*," livre i. Paris, 1807.

The king had ten ministers, whose titles follow in the order of their rank : the royal field-m Marshals for Poland and Lithuania, the high chancellors for Poland and Lithuania, the four chancellors, the lord high treasurer, and the marshal of the royal household for Poland and Lithuania. These ministers had a seat in the senate, but took no part in the discussions.

The field-marshal ranked third in the state, his power was almost unlimited, and more extensive than that of the constables, who so often endangered the crown of France. In time of war the field-marshal was quite independent of the king, and was master over the life and death of his subordinates.

Although it seems difficult, nay, almost impossible, under these circumstances, for a king to form a party in the state which should endanger the privileges of the individual, the nation thought it necessary to provide against a possible abuse of power, and employed a method unknown in the annals

of any other nation. This was the "confederation."

It cannot be denied that the oldest of all rights—the right of the strongest—continuously exercised its influence throughout the history of Poland, and that in the eyes of the people it actually had almost a legal existence. We recognise its presence even in the execution of the king's sentences, which were carried out by the armed nobility on those concerned, who in their turn seemed fully justified if they used their power, influence and connections, and summoned dependents and household troops to oppose the execution of the royal command. It was even taken for granted that if the judicial expedition was repulsed three times, no further steps should be taken till the intervention of the diet.

This law of might is equally noticeable in the assemblies of the nobles for the purpose of consultations or elections. If on such occasions individuals or parties dared obsti-

nately to oppose their personal interests to the will of the nation, if persuasion or threats were all in vain, it was by no means an uncommon occurrence, on the utterance of the fatal *nie pozwalam* ("I do not consent"), for a thousand swords to be drawn, and for the opposition to be ended by the death of the bold opponents. This method of establishing unanimity was the only restriction (though one which had a salutary effect upon the whole community) placed on the abuse of the dangerous *liberum veto*, the evil effects of which became apparent in the last three hundred years, when these assemblies were represented by meetings of delegates who refrained from such acts of violence. The right of the strongest was not so much an abuse, as a necessary element, of this peculiar constitution.

The legitimate use of violence appears to have reached its climax in the "confederation."

Contrary to the theory of other nations,

who look on a revolution as the greatest misfortune in the state, revolution was legally organized in Poland. If any question of interest received sufficient support in the republic, but could not be carried because of the opposition of the existing government or the veto of individuals, those concerned formed a "confederation" (*rokosz*), bound themselves by solemn oaths, appointed a leader, and took up arms in order to do battle for their opinions.

The strength of the "confederations" constituted their right; whatever the result of the undertaking, none of the confederates could be punished or looked upon as rebels. The decisions of the majority were recognised in these "confederations," which were in reality nothing else than the forcible carrying out of the will of the nation. The *liberum veto* was suspended during this dictatorship, which often had no other object than the carrying out of the *liberum veto*.

But to prevent this violent remedy for

tyranny from becoming a tyrant in its turn, the time of duration of these "confederations" was settled beforehand, and all their resolutions became void at their dissolution. What was settled unanimously remained law, and every "confederation" ended with the summoning of a diet.

Although king and senate exercised the highest power in the state, the real sovereignty rested in the united body of the nobles, who in spite of both, could legally carry out their will, if unanimous, at the diet; if not, by means of a "confederation." Every time the throne became vacant, they took back the rights with which they had parted, examined the use which the last ruler had made of his power and bestowed it on his successor.

The petty diets in the palatinates preceded the general diet by six weeks; here those questions were brought forward and prepared, which were to be decided at the general assembly of the nation. The most violent and sanguinary scenes could not fail to occur



at these assemblies, where the judges of the two tribunals, and later on also the deputies, were elected, and where every nobleman of the province appeared in person, armed and mounted.

The king was bound to summon the diet every two years. If he neglected to call one the nation had the right to do so. The diet elected a "marshal," who exercised a great influence on affairs. All deliberations took place in the open air or with open doors, and in the diet the greatest legislative power was vested, based on the condition of unanimity of votes.

The affairs of individuals were settled by a majority and in a summary way. Lawyers were unknown. Those concerned stated their case themselves, and the decision followed without delay and expense. It is characteristic that the same men deliberated in the senate, made laws in the diet, administered justice in the tribunals and wielded the sword in battle. The nobles, who pos-

essed all the honours and privileges of the state, felt themselves responsible for its defence.



Poland is the only European state which down to the sixteenth century possessed no military force, except that of its armed and mounted nobles. The infantry was of no account whatever; the only distinction was between hussars and cuirassiers. The former were the more numerous, and the young nobles were obliged to serve in this corps, in order to qualify themselves for the dignities of the state. The hussars and their equipments were very different from those of the present day. They wore helmet and cuirass, and a tiger skin thrown round their shoulders; they carried a lance fifteen feet long with a small streamer attached, two pistols, two swords, one of which hung from the saddle. It was not till Sobiesky's time that the hussars changed their lances for muskets.

The cavalry consisted of the *élite* of the nobility, was splendidly mounted, and numbered 40,000 men.

The cuirassiers were somewhat inferior. They wore scale or chain armour and were generally the household troops of the dignitaries of state, the bishops and the archbishops.

These soldiers called themselves *towarisz*, *i.e.* brothers, and were called so even by the king.

In times of emergency, Poland presented the extraordinary spectacle of from 150,000 to 200,000 nobles who formed an enormous but undisciplined army. These gatherings were called *pospolite ruszenie*.

An admirable peculiarity of this warlike nobility was the simplicity of their habits. They lived the greater part of the year on their estates ; there they spent their income, practised an extensive hospitality, which would appear to be of Eastern origin, and remained at a distance from and independent

of the court. The wealth which the noble obtained from his subjects returned to them again. A few benches, tables and carpets formed the furniture of the richest palatine.

The women did not care for luxury, nor did they interfere in politics, as they did so often in later years. Good armour and excellent horses formed the sole splendour of the men. Their dress had an oriental character. A long cloak trimmed with fur, slashed sleeves, a broad belt, a fur cap, curved sword and half boots formed their costume. Like the Tartars, they shaved their heads, leaving only a tuft on the crown.*

The ancient Poles were very tolerant. They took no part in the religious wars which devastated Europe in the sixteenth and seventeenth centuries.† Calvinists, Lu-

* Cromer (page 73) affirms that this fashion was introduced by order of Pope Clement II., when he absolved the monk Casimir from his vow, that he might place him on the Polish throne in 1041, and that the fashion had been scrupulously observed since that time.

† "La Pologne n'a vu dans son sein ni conspiration des poudres, ni St. Barthélémy, ni sénat égorgé, ni rois

therans, Greeks, Schismatics, Mohammedans, long lived peacefully in their midst, and Poland for a time was justly called the "promised land" of the Jews. The Poles actually forced their kings to swear, in the *pacta conventa*, that they would tolerate all sects. When Henry of Valois tried to avoid taking this oath, the grand marshal of the crown declared bluntly, "Si non jurabis, non regnabis."

Still the Poles were very strict in observing the outward ceremonials of the Church. Christianity always seemed too mild to them. They imposed harder privations on themselves, and to the fasts of Friday and Saturday added those of Wednesday and Septuagesima. The popes themselves abolished some of the severer penances practised by the Poles.

assassinés ou sur un échafaut ni des frères armés contre les frères ; c'était le pays où l'on a brûlé le moins de monde pour s'être trompé dans le dogme. La Pologne cependant étoit barbare—ce qui prouve qu'une demi-science est plus orageuse que la grossière ignorance."—L'ABBÉ COYER, livre I.

The intercourse of the nobles was cordial and liberal, and no excessive deference was shown to the rich and powerful. Owing to the few requirements, poverty was not allied to dependence in those days. The dealings of the nobles with each other bore the stamp of their original equality. Their form of address, which still survives, was "Brother," (*Brat*). They had no titles or outward marks of distinction.*

When Lithuania was joined to Poland, the Czartorysky, the Sangusko and Wieńnowiesky were the only families who, contrary to the spirit of the constitution, retained their rank as princes in the republic. Orders and other decorations were arbitrary gifts of the king, which were introduced in the days of Augustus II. and Poniatowsky, and which were never much valued.† The noble

* "Les titres de marquis et de comte s'y sont introduits avec les cuisiniers français. Il n'y en a que pour des valets et des flatteurs."—L'ABBÉ COYER, *Histoire de J. Sobiesky*.

† Augustus II. founded the Order of the White Eagle

owed his rank to his position in the state alone.

The rapid development of other states, and their increasing subordination to the will of their rulers, allowed them to act with growing unity. The admirable qualities of Poland's citizens enabled it, however, to maintain its place in their midst, and to attain to a high degree of power and influence, in spite of the primitive simplicity of its laws, the unlimited respect paid to the privileges of the individual, and the necessarily slow development of the state.

We may add that the Poland of the fifteenth century was one of the most civilised states of Europe. It is true that the virtues of the citizens had much to atone for in the badly organized constitution of the republic, so that moral qualities had to supply the place of good laws. Side by side

in 1705, during the war with Sweden. The Order of St. Stanislaus (1765) and the Order of Merit for Military Distinction were founded by Stanislaus Augustus Poniatowski.

with the advantages of a high state of civilisation, luxury, corruption, and all the attendant vices made their appearance, and the moment the constitution was no longer based upon the probity of individuals, the imperfection of the laws and the difficulty of enforcing them led to great abuses in all departments of the administration. The old laws were still in force, but customs had changed; and as no law can continue to exist when opposed to general usage, it was only the letter that survived, with a new interpretation. This was a misfortune for which the constitution had no cure, because it practically did away with the constitution.

Contrary to the fundamental principle of the constitution, "Perfect equality of all citizens," there sprang up immense differences of property, and consequently an actual inequality among the proprietors.

The king's favour had often bestowed great offices of state and *starosties* on one man, and invested his son and grandson with

them, so that these estates, though not hereditary, remained long in one family. A more or less careful management of the estate, marriages, legacies, in short, luck and skill, brought immense wealth to individual families, while other less fortunate families, either through their extravagance or their very virtues, became destitute. Henceforth wealth was not merely the reward which the king bestowed on the meritorious, it assumed an hereditary character.

There were Polish nobles who possessed estates exceeding in extent many a kingdom of those days. Thus, contrary to the spirit of the constitution, the Radziwills, centuries ago, founded an entail in the family, which made its chief the most powerful private individual in Europe. He had a retinue of several hundred nobles, possessed many fortresses, and maintained 6,000 household troops. The Oginsky, Czartorysky, Tarlo, Potocki, Zamojski, Lubomirsky, and others were scarcely less rich and powerful. When

we consider that the execution of judicial sentences had to be carried out by force of arms, we can understand that it was not easy to obtain justice from such citizens.

Even the confusion which existed on nearly all these great estates tended to increase the influence of the rich families. The greater part of the estates were pledged for comparatively small sums. The growing value of land and the increase of money caused a decrease in the value of capital, which would have made the redemption of the pledged lands a great misfortune for the mortgagee, while the payment of the debt would have been his ruin. Hence a large number of small landowners were directly dependent on the great families, and secured their own prosperity only by an unconditional attachment to their interests.

While a small number of the nobles amassed unlimited wealth, the greater part lost all their property. These impoverished nobles found a hospitable reception in the houses of

the chiefs of powerful families. They formed a court, and a thoroughly military one, received weapons, horses, shelter and support from their protector, and in return they devoted to his service their vote in the diet and their sword in his almost incessant feuds.

This unlimited hospitality was quite in keeping with the immense wealth of these nobles. Besides, the large number of poor dependent nobles was of vital importance to the great noble, for not only his influence, but not unfrequently his welfare and personal safety, depended on the number and courage of those whom he had in his service. He was constantly needing this small host of brave men, who had nothing to lose but their lives. Now they had to take by force a town or castle which had been pledged, now to prevent the execution of a sentence in a summary way, then to intimidate a restless neighbour.

But above all he needed them at the diet,

where besides the interests of the community, those of the individual were dealt with in proportion to his wealth, strength and influence. There the retinue of nobles derived a twofold importance from their vote and their sword, which was nearly always appealed to as a last resort, and it was considered a special sign of the advancement of civilisation, that during the assembly of the nobles in 1764 only thirteen were killed.*

Nevertheless a superior and inferior nobility was never recognised in Poland. The title of count borne by Poles of to-day would have been despised by their ancestors. Influence, honours and wealth did not bring political privileges or rank and the poorest noble did not give up a single claim because of his poverty. It is obvious that the poor noble would cling obstinately to a constitution which valued him according to his birth alone. The *liberum veto* gave weight to the least among them, and the diet gave him

* Rhulière, " Histoire de l'Anarchie de Pologne."

occasion to use his power. An instance is not wanting where a poor, deformed, insignificant noble was raised to the throne, greatly to his own astonishment, because the powerful parties could not agree on a candidate. Great therefore as was the dependence of the poor noble on his host or lord (the relations are here identical), the latter was obliged to honour as his equal even the meanest of his clients, whose personal opposition could be used against him and his party; in each individual of the nation he was obliged to respect the sovereignty of the people.

It was for this reason that distinctions of class, the arbitrary treatment of the inferior by his superior, did not develope in Poland as in other countries. In the humble, fawning courtesy of the poor noble, degraded perhaps to the position of servant, we to this day recognise the hidden consciousness of his equality, and in the dignified kindness of the great noble, a patriarchal protection extended

to the lowest. Owing to this democracy of the nobles, the monarchy in Poland degenerated into an aristocracy and the aristocracy into an oligarchy.*

III.



Among the chief causes of the fall of the republic was the continual decrease of the royal power in the state.

In all European countries the royal power increased steadily, though at a varying rate. In some it attained to such a height that it destroyed all other authority, and a violent reaction was needed to restore the balance between the privileges of the sovereign and the rights of the people. The Polish rulers, on the other hand, could never gain sufficient authority to maintain peace at home, much less to exercise influence abroad. It could scarcely be otherwise in a land where the throne was elective. Concessions made to

* Ferrand, "Hist. du D membrement de la Pologne."

the advantage of the electors, often to the disadvantage of the king, were frequently the only means by which the latter could obtain the throne, or keep it when obtained. This throne, the only office in the state which could be filled by a foreigner, was the reward of merit, ambition, favour and intrigue.

Most disastrous was the influence exercised by the papal chair on the kingdom in the reign of Boleslaw II., 1058. Still more disastrous was the useless struggle of Casimir the Great in 1366 with the senate, which upheld the pretensions of the nobles in order that it might in its turn be supported by them. The nobles became more independent as the senate became more powerful. This could only happen at the expense of the throne on the one hand and of the peasants on the other. But of this I shall speak later on.

To the Jagellons belonged the merit of having united to the republic the important province of Lithuania. This race produced

several distinguished men and the crown, though still elective, remained for centuries in their family. On the death of the last Jagellon, 1573, at a time when Bohemia and Hungary were deprived of the power of electing their kings, when Sweden renounced this right in favour of its monarchs, Poland renewed its privilege in its most comprehensive form. At a time when European monarchs gradually deprived the great feudal barons of all share in the administration of the law, the Polish kings were deprived of this power by the nobles. While the people of Denmark gave their kings unlimited power, the Polish nobles destroyed the last vestiges of the royal prerogative.

Henceforth, great as was the homage paid to the candidate for the throne by the majority, he never failed to encounter a violent opposition. The more powerful his means of destroying it, the greater the sacrifices he made to conciliate it, the weaker and more untenable became his position.

The nobles began to look upon it as a privilege of their rank, to give laws which they did not respect, and to appoint kings whom they did not obey.

75-86 The extension of the kingdom made it impossible for the kings to administer justice in person.* In the long wars of Stephen Bathori this privilege was finally lost. The nobility declared itself the judge of its own quarrels.

Tribunals, to last for fifteen months only, were established to carry out the laws, and as the members were appointed, not by the king, but by the nobles of the province themselves, these law courts were often only the tools of political rancour. As the position of judge bestowed upon the most unimportant a decided influence on the affairs of the most powerful in the province, we can understand that these elections and the privileges they bestowed, formed a wide field for intrigues and violence. In the year 1578 the kings

* " Ils n'ont fait qu'un juge de moi," said Henry of Valois.

lost the right of bestowing the patent of nobility, which was made over to the diet.

The kings had no share in the legislation, as the laws were made in every interregnum. As soon as the throne became vacant by the death of a king, and before the diet appointed a successor, the nobles of the provinces assembled to examine into the administration of the late king and his senate. Any law that was not approved of could be repealed and new arrangements proposed, which became law if the votes of the diet were unanimous. This unanimity was most easily obtained when a law was to be repealed which threatened the individual or when the royal prerogative was to be decreased. The Poles were always more jealous of a power which sprang up in their midst, than of one which came from without, and thus it came to pass that while the freedom of the state was lost, the Polish nobles retained their personal independence. However much a king might have endea-

voured to extend his power, his successor had to begin his work anew.

The king had no share in the administration, and even the most urgent circumstances did not justify his acting without the co-operation of the senate.

The senate* deprived the king of the power of making peace or war. An offensive war was contrary to the constitution and rendered almost impossible by the organization of the state. It was illegal for the nobles to be kept under arms for more than three weeks, or for them to be led more than three hours' march across the frontier. If there was a hostile invasion, war became a matter of course, but it was carried on, on their own account, by the palatines most nearly concerned and often without the assistance of the king.

When the example of her neighbours forced Poland to establish a standing army, it was not placed under the immediate control of

* Ferrand, "Histoire du D membrement de la Pologne."

the king. He appointed a royal field-marshal for Poland and one for Lithuania, but he could not deprive them of office. A definite portion of the revenue was not set aside for the support of the army, but subsidies were voted by each diet and paid very irregularly. The troops were therefore very inferior and able to afford but little support to the king, since at times many a noble kept more household troops than the king himself.

In 1572 it was enacted that the nobles must be present at the elections in person, instead of sending representatives as they had hitherto done; that all taxes were to be commuted for a fixed tax on land, and that the king was to keep no *starosties*, but to give them all away irrevocably and for a lifetime. It follows that bribery, intrigue and party spirit were the only means of influence that could be employed by a king, who was excluded from the administration, who was without domains, without private property or settled revenue, who was surrounded by

officers he could not depose and by judges who could be deposed and who was, in short, without real power of any sort. The senate itself* was deprived of its power, and the representatives of the nobles seized upon the highest authority. The power of the nobles was in the ascendant, they alone held the public offices and the highest ecclesiastical benefices. They filled the seats of the judges exclusively, and enjoyed perfect immunity from taxes, duties, &c. The nobles seized upon the jurisdiction over the peasantry and forced from the crown the statute "*Nemi-nem captivabimus*," in consequence of which they enjoyed perfect impunity, since they could not be arrested before conviction.

It is not surprising that in a country like Poland the original punishment for murder was not severe. Every noble carried a

* Blackstone's remarks on the Long Parliament are perfectly applicable to Poland: "When the houses assumed the power of legislation in exclusion of the royal authority, they soon after assumed likewise the reins of administration, and in consequence of this united power overturned both church and state, and established a worse oppression than any they pretended to remedy."

sword, and knew that he carried it for self-defence. Murder was punished by a fine (the *mandebode* of the Scandinavians). Sixty marks (about £75) were paid for a nobleman, thirty for a commoner, for a village mayor or soldier fifteen, for a peasant ten, six of which went to his widow and children, and four to his lord (Const. 1547, vol. i. fol. 7). The valuation was according to birth only. Hence the murder of a priest, even if a bishop, could under certain circumstances be atoned for by ten marks. This law that set a price on human life continued in force till 1768. Matthias Corvinus had, it is true, declared death to be the penalty for murder, but Casimir the Great had abolished this law. Capital punishment existed in Lithuania, but a murder had to be proved by six witnesses, two of them being nobles.*

* J. Jeckel, vol. iii. The following law was also in existence: "He who accuses another man of not being noble (*i.e.* of having arrogated to himself the title of nobility), without being able to prove it, is flogged in Lithuania, but suffers death in Poland" (Const. 1633, fol. 806).

The ruler was made utterly helpless by having to agree to the *pacta conventa*, to which a new restriction was added during every interregnum.

Another great evil from which the republic suffered was the abuse of the *liberum veto*, which, dangerous as it was in itself, had become law in 1652, and was called by the Poles *unicum et specialissimum jus cardinale*—a law which was based on the assumption, that every one knew what was right and was ready to do it.

At first there were but few occasions which called for an assembly of the nobles, who formed the body of the nation. But as Poland increased in power and extent and came into closer contact with foreign countries, it became necessary to frame important resolutions regarding the interests of the country at large. When finally Poland, yielding to necessity, established a standing army, but refused to make permanent provision for its support, it became inevitable

that frequent assemblies of the nobles should be held. It was for this reason that in 1467, for the first time, a meeting of delegates or deputies took the place of the diet (a custom which had prevailed in the rest of Europe for more than 200 years), but the nobles expressly reserved to themselves the right of deliberating on all important questions. The transactions of the assembly of representatives were also based on perfect unanimity.

As we have already said, these deputies were elected at the petty diet, convened by the king by means of printed writs, at appointed places in each district, six weeks before the general assembly. The nobles of the district met on the appointed day and elected a marshal, who presided. The king's deputy now proceeded to address them on the business of the diet. After he had withdrawn, the deputies were chosen and their instructions decided upon by unanimity of vote. Many of these petty diets were in

consequence broken up, and the number of deputies at the diet was never complete ; but this was not considered necessary. There was a curious law which sentenced the deputy whose veto dissolved the meeting, to six months' imprisonment and a fine of 3,000 marks. But this law was not enacted till 1764.

The person of a deputy was inviolable four weeks before and four weeks after the diet ; whoever assaulted him was punished for high treason.*

At first resident and landed nobles alone were eligible, but later on it was considered a sufficient qualification to be related to such a noble.

To occupy by soldiers the place where the petty diet met was illegal, firearms could not be brought to the assembly, and it was customary not to sharpen the swords.

* The interest of the court did not avail to save the life of a Saxon colonel, who in the time of Augustus II. had taken vengeance on a deputy who had offended him.

At the outset the diet met at Lublin, Parkow, Piotrkow, and Lomza. After 1569 Warsaw became the place of assembly. In order to satisfy the Lithuanians, every third diet met at Grodno. The assemblies which took place on the death of the king, were held at Warsaw.

The diet was held two days after Michaelmas every other year; but in urgent cases the king could summon a diet earlier and at various places. This diet lasted a fortnight, instead of six weeks. Under no circumstances could the time be extended or shortened. All deliberations had to take place by daylight.

The marshal of the diet was chosen on the first day, and the titles of the deputies were examined. Then the deputies, led by the president, welcomed the king, and the *pacta conventa* were read. The king made suggestions. The senators voted the business of the diet in the presence of the deputies, in order to show them what was to the

advantage of the state. The administration of the ministers was next reviewed, and then the deputies withdrew from the senate in order to draw up the laws for the diet, the chief object of which was to be the general security.

The last five days were called the great days. The two chambers came together, the president read to the assembled diet the laws on which the deputies had agreed unanimously, and even then every member could still exercise his right of veto. Whatever was now unanimously agreed upon passed into law.

The deputies, indeed, themselves respected their inviolability and no longer secured the requisite unanimity by murdering the resisting faction. But this only made matters worse.

After their election, the deputies could never consider themselves at liberty to act according to their own opinions for the interest of the whole country. They could

never place the welfare of the country above the interest of their own province. They received definite instructions as to the demands they were to bring forward, and the concessions they were to make. After 1589 petty diets were appointed by law, before which the deputies had to answer for their conduct on their return. An assembly of 400 members, each of whom was the mouthpiece of a community, was far less compliant than if each member had only supported his own privileges. In olden times men were stabbed for stubborn resistance to the diet. Now the compliance of a deputy would be punished by death, by those whose instructions he had transgressed. The same terror which had forced men to yield and which was the only barrier opposed to anarchy, now became an excuse for stubborn resistance.

In vain the king brought patience, persuasion, obstinacy and courage to bear on this disorder. King Wladislaw refused to

adjourn the diet until a certain decision had been arrived at. As it was necessary for all deliberations to take place by daylight, it was resolved that the members should remain assembled all night, and the world beheld the spectacle of a sleeping diet, presided over by a sleeping president, and of a king asleep on his throne.

One step only was wanting before unanimity of votes became an impossibility, and anarchy was completely organized. This step was taken when individual palatines enjoined their deputies to oppose every discussion at the diet, till their own proposals had been heard and acceded to. Before long several deputies received the same instructions, and thus the diet was in fact dissolved before it was opened.

Other deputies refused to consent to any proposals, if those of their own province were not accepted ; so that the veto of one deputy in a single transaction could bring about the dissolution of the entire diet, and

the exercise of the royal authority was thus suspended for two years. The veto of the deputy was the magic charm, at the utterance of which the whole commonwealth sank into a death-like trance. No law could be passed, nothing could be resolved upon. The army received no pay. Provinces were desolated by enemies, and none came to their aid. Justice was delayed, the coinage was debased; in short, Poland ceased for the next two years to exist as a state.

Every time that a rupture occurred in the diet, it was looked on as a national calamity. The curse of posterity was invoked on that deputy who had occasioned it, and on his family. In order to save themselves from popular fury, these deputies were accustomed to hand in their protest in writing, and then to wander about, unknown and without rest, cursed by the nation and the object of its aversion.

But the nobles went still further in the art of making the efforts of true patriots futile.

In 1652 the voluntary withdrawal of a member was declared sufficient to justify the dissolution of the diet.*

The influence of religious differences could not fail to be most disastrous in a land that combined so many conflicting elements, and these dissensions were now added to the long list of Poland's misfortunes. For a long time no state in Europe was as tolerant as Poland. After the great church schism in the sixteenth century, Poland still remained tranquil. *Inter nos dissidemus*, said both Catholics and Protestants, and both parties were dissidents. It was not till the influence of the Jesuits and foreign emissaries fanned the flames of religious discord, that this name was applied to the Protestants alone. Poland was accustomed to violent insurrections, the opposition of the minority was a common event, and constantly led to contentions and

* In the years 1695, 1698, 1701, 1720, 1729, 1730, 1732, 1750, 1754, 1760, 1761, and 1762, the diets were dissolved before the election of the marshal had taken place—twelve diets in 67 years.

discord in the numerous assemblies of the nobles, which had now become necessary; but this new source of division was to convulse the whole land in a terrible fashion. Now the diets became useless; seven diets were dissolved in thirty-six years (1536—1572); and in the reign of Augustus III. the nation assembled in vain during thirty-one years.

The number of the dissenters was comparatively small, but as they afforded a dangerous pretext and basis for foreign interference, they dealt the state a dangerous wound.

IV.

Though the peasant soon disappears from Polish history, we must not omit his condition in enumerating the causes which led to the downfall of the republic.

The statements of the Polish nobles and their historians, to the effect that the peasant was always the hereditary property of the

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lord of the manor are false. This relation between eleven million men and barely half a million masters is an abuse of the last two hundred years, and was preceded by one thousand years of a better state of things.*

Originally the noble did not even possess jurisdiction over the peasant. It was wielded by the royal castellans, and in exceptional cases was bestowed on individual nobles, as a reward for distinguished services.†

Even though a peasant died childless, his property went to his relations, and the lord had no right to exact a fine. If a peasant deserted his farm, it could not be bestowed on another until the fugitive had been summoned two or three times to return. On payment of a definite land tax the peasant

* Von Grävenitz, "The Peasant in Poland." The quotations from ancient records, which have been introduced on account of the importance of the subject, are borrowed from this excellent little work; we do not claim to have examined the original sources.

† Deed of gift of the convent of Tyratz, 1286. Boleslaw appoints Rusezyn to the jurisdiction, 1252.

was freed from all taxes, from the necessity of providing supplies, and of keeping his cattle at the disposal of his lord.* These laws of Casimir the Great, the Henry IV. of Poland, won him the honourable nickname of "Peasant King."

Those peasants were free who were domiciled according to German law, or who dwelt on the land which they themselves had reclaimed.† It was owing to the feudal lord's need of labourers, that the rest of the peasants were bound to the soil and could not leave the land without permission.

But the peasant did not belong to the lord, he could not be sold. The estate might pass into other hands, but the peasant was not obliged to leave his farm. The fact that he could possess land prevented him from ever becoming a mere serf.

There were laws in Poland which mitigated the hardship of this state of affairs.‡

* Statute Wladislaw Jagellos, 1420 and 1433.

† Statute Jagellos, 1420.

‡ Skrzetusky prawo polityczne narodu polskiego.

Every year two families were free to leave each village. The father of many sons could destine one for foreign service, and science and art were declared free.* Under certain circumstances all peasants had the right of emigrating duty free—when, for instance, secular or ecclesiastical punishment fell on the community as well as on the lord, or when a woman was violated.

The police regulations of John Albert, 1496, show plainly what was the condition of the peasant. "He transgresses his bounds, loves splendid attire, and practises great extravagance, so that he is often arrested for debt by the town people."

These regulations decree with regard to these matters, that the citizen is not to evade the tribunals of the peasant, but to bring his actions there. The peasant was therefore well off, he could raise money on his property, and had regular tribunals.

If we sum up the condition of the peasant,

* Statute of Alexander, 1501.

as established by law and justice, we find that he enjoyed the possession of home and land, that the conditions under which he was attached to the soil were restricted, that he was liable to a reasonable amount of statute labour, and moderate state and church rates.

This happy state of affairs ended with the extinction of the Jagellons, when the nobles increased their power at the expense of both king and peasant.

It is remarkable that the Polish peasant enjoyed these privileges at a time when villeinage existed in all the rest of Europe,* and that his slavery began when other nations became free. Villeinage ceased in Germany as early as the twelfth and thir-

* J. Jeckel is inclined to take for granted the existence of villeinage in Poland before the eleventh century, but he admits that history gives no satisfactory answer to the questions: "What were the peasants? What were their obligations? Under what laws did they live?" ("Reforms in the Polish Constitution," part iii. p. 87.) It is enough that history, as far as it goes, shows us no serfs, but only *glæbæ adscripti*.

teenth centuries, except in Mecklenburg, Pomerania, and Lusetia, which had had a Slavonic population. Louis X. put an end to it in France in 1315. Elizabeth emancipated some English serfs as late as 1574. In Bohemia and Moravia villeinage lasted till the reign of Joseph II., 1781. In Poland it began in the sixteenth century. The kings were forced to promise that they would grant the peasant no letters of protection* against his lord. Henceforth the lord was to have the right of punishing his disobedient subjects at his own discretion.†

The axiom, "Air gives possession," was applied to all strangers who resided for a year in a village.‡ Without the repeal of a single statute favourable to the peasants, it became a fundamental principle of the constitution, that "Henceforth no temporal court in existence can grant the peasant redress

* Alexander, 1505; Sigismund I., 1543; Sigismund III., 1588.

† Article 4 of the religious bond, 1515.

‡ Statute of 1633.

against his lord, though property, honour, or life be at stake.’

The peasant was thus handed over to an arbitrary power, which had no limit, except that which the excess of an evil imposes on the evil itself. Every noble was absolute master on his own estate. There was no help for the peasant save in the mercy of his lord or in his own despair.

The result was those terrible insurrections of the peasants—the very threat of which alarmed the nobles—the ruin of landed property, and the failure of those sources from which a nation should derive its prosperity and its strength.

The utter misery of the Polish peasant is proved by statutes like that passed by the diet of 1768, articles 18 and 19. “The absolute dominion of the nobles over land and people is to be maintained, but the right over life and death of the peasant is no longer to be vested in his lord.” In 1791 it was found necessary to enact: “If

henceforth an agreement is drawn up between lord and serf, in proper form, it shall form a valid contract." From Polish historians* we learn with regard to the condition of the peasant† that he "lives without justice or judge, without law or king, often without religion; that he is forced to work on Sundays and feast-days; in many places, for every hide of land his cattle must be at the disposal of his lord for five days."

It was this arbitrary enforcement of labour which made it so difficult to restore the balance. "The peasant‡ is looked on as a nonentity. He cannot sue without his lord's consent. He cannot obtain justice from his lord. Laws were once made in his favour, but they were forgotten long ago. There is no appeal against this oppression, the lord has long been master over life and death of

* We must quote these passages, so as not to be accused of exaggeration.

† Warszawicki.

‡ Nikolaus Zalaczewsky.

his peasants." * "Poland is the only country where the common people are deprived of the rights of humanity." †

V.

In spite of the enormous gulf that separated master and serf, noble and peasant, it was impossible for a middle class to arise in Poland. Trade and industry ‡ could not flourish, where the government afforded neither protection nor encouragement, where arbitrary encroachments endangered the safety of property, and destroyed that confidence which is an essential condition of trade.

These facts explain the poverty of a country containing 282,000 square miles, with a population of eleven and a half millions of

* Vincent Rozitusky.

† King Stanislaus St. Lesczynsky, "Observation sur le Gouvernement de Pologne," liv. c. page 9.

‡ J. Jeckel, "Polens Handelsgeschichte." Wien, 1809.

inhabitants, and possessing great navigable rivers that flowed to the Baltic or the Black Sea, an abundance of corn, wheat, wax, honey, hops, fish, fur, countless herds of splendid cattle, excellent horses, inexhaustible salt mines and immense quantities of timber.

Inland industry could make no better use of this wealth than to manufacture coarse linen, canvas, ropes, potash, and planks for ship-building ; the remainder was left to foreign enterprise. Only the seventh part of the land was cultivated. In order to render possible the export of corn and cattle, the greater part of the nation, *i.e.* the unhappy peasant, was deprived of these productions, and an increase of population rendered impossible, for he dragged on his miserable existence by means of rye bread, in the same way as he does now on potatoes (meat he ate barely three times a year).

The remaining exports were insignificant, and out of proportion to the expensive luxuries which, contrary to the sumptuary laws, were

largely imported in order to supply the increasing demand.

The lead mines of Olkusz were no longer worked, the inexhaustible mines of rock-salt in Wieliczka and Bochnia and the salt springs of the Eastern Provinces of old Poland (Red Russia) were neglected, so that not only was no salt exported, but, to the great detriment of the crown, the whole province of Prussia had to be supplied with foreign sea salt.

The nations which traded with Poland consequently received all the profits, while her own losses were immense.

In the year 1777 the imports amounted to* 47,488,876 Polish florins,† and the exports to 29,839,238 Polish florins, so that the imports exceeded the exports by 17,649,638. Of these Prussia received over 5,000,000, Austria nearly 11,000,000, and Russia and Turkey 1,500,000.

In 1776 the imports amounted to 48,640,679

* J. Jeckel, "*Polens Handelsgeschichte*," vol. ii. p. 87.

† The Polish florin is about 4s. 6d.

Polish florins, the exports to 22,096,360, a difference of 26,544,319 florins in one year. The chief source of money in Poland was the sale of the crown.

In spite of all the natural sources of wealth at her disposal, many a European city was richer than the commonwealth, and two or three London and Amsterdam merchants derived a larger income from trade than the king of Poland from his domains. In the midst of all her natural wealth Poland was poor. She derived no profits from her abundance, she had neither roads nor ships to convey her exports, factories to work her produce, nor trade to turn them to account.

The history of commerce in Poland is almost entirely comprised in the history of the town of Danzig.

In the thirteenth century a league was formed by the most important German towns, in order to oppose those arbitrary laws and encroachments on their privileges, which they were too weak to resist single-

handed, to throw open the roads, which were obstructed by the castles of robber-knights, and by other obstacles, and to administer themselves the justice which their princes were unable to grant. This was the Hanseatic League, which for centuries controlled the trade of two great oceans, and Danzig could not fail to recognise the great advantages which would accrue to her if she joined the league.

The people of Danzig were of German origin, they were ruled according to German law and had their own constitution. For a time they were protected by the Order of Teutonic Knights, and when they finally recognised the supremacy of Poland, they maintained their independence as far as possible. The citizens fortified the towns at their own expense, they defended their independence, not only against foreign countries, but also against Poland.* They refused to let the

* In 1576 against Stephan Bathori, and in 1733 against Augustus II.

Russians enter their walls long after the Poles had ceased to resist this foe.

After the loss of the Black Sea, Danzig was the best, and, soon after, the only port, by means of which Poland could trade with other countries, and it attained to a high degree of wealth and importance.

After the royal towns of Poland obtained the right of appeal to the *Magdeburg Law*, a number of industrious foreigners immigrated into Poland who might have been able to improve the condition of trade and industry. The towns of Thorn, Culm, Elbing, Königsberg, Braunsberg, Cracow, joined the Hanseatic League. They were, however, unable to maintain their independence, and had to submit to the ever-increasing power of the nobles. The descendants of these immigrants led a wretched, poverty-stricken existence.

The rest of Poland's towns lay deserted and unfortified, for destitution dwelt within them.

Their inhabitants were agriculturists, among them not even the commonest artisans were to be found. Whoever was not noble dragged on a despised existence in the towns, or dwelt oppressed in the villages. There was no middle class in Poland.

The rest of Poland's trade lay stagnant. The merchants could make no profit out of the peasants who possessed nothing, literally nothing. From the noble he could earn as little. The rich and powerful nobles, who should have purchased most from the merchant, received their wine and other luxuries duty free, in return for the wood, corn, &c., which they sent to Danzig. How then could a merchant buy or sell at a profit in a country where the most influential class exported and imported duty free those very articles on which he had to pay duty, at public and private custom houses? The bad state of the laws, especially those referring to the recovery of debts, made it impossible to give credit. It was impossible to obtain a

nobleman as partner, since trade carried with it the loss of nobility.

For a time Poland acted as agent for Russia, buying the indispensable commodities at Danzig, Breslau, or Leipzig, and conveying them to Russia by land, but this source of gain vanished, when Peter the Great threw open the Baltic and the Black Sea to his people.

VI.

The small amount of trade still carried on in Poland was in the hands of the Jews. It cannot be denied that this frugal, careful race formed the only class of traders in the land. That branch of industry which the nobleman despised, owing to pride or carelessness, and from which the peasant was excluded by stupidity and ignorance, fell to the share of the Jews. Though their presence may have been a misfortune for the nation in after years, they were certainly at the same time a national necessity. They were a misfortune

owing to the imperfect organization of the government, which made it easier to burn them than to turn them into good citizens; they were a necessity because, though they were viewed with hatred and envy, no one thought of imitating the diligence which won for them their wealth.

We must glance for a moment at this peculiar race,* at once so important and so little understood, who, exiled from their home, multiplied rapidly and found entrance into every country till they spread over the whole world.

Perpetually oppressed by capricious laws, the race raised itself by perseverance and cunning. Ill-treated, persecuted by fire and sword, still they returned, or others took their place; robbed and plundered repeatedly, the wealth of the land was yet theirs. A strange mixture of outward weakness and inward strength, humble and fawning to superiors,

* "Tableau de Pologne ancienne et moderne," par Malte-Brun, refondu par Leonard Chodzko. Paris, 1830.

cruel and despotic to dependents, oppressed, ill-treated as a whole, they yet individually repaid their oppressors with despotism. Even in his degradation, the memory of his natural dignity, the sense of his oppression, clings to man, and the Jews opposed hatred and contempt to violence and enmity; sentiments that took deeper root in their hearts because of the concealment which was necessary.

The political position of the Jews and their own laws debarred them from possessing land, serving the state, holding offices, in short from every kind of public activity. They could never use their talents, knowledge, and diligence for the national welfare. Patriotism, ambition, the longing for action, all the forces which urge other men to energy, were nothing to them. Everywhere repulsed with contempt, the Jew was thrown back on his own resources, and thus of necessity self became his only consideration.

The highest position to which a Jew could

attain was that of a rich man. But his wealth did not bring him civil rights, it did not protect him against public hatred, and he was forced to conceal it, or else to enjoy it in the midst of danger.

When money ceased to be a means of happiness for the Jews, they sought it for its own sake. Wealth was the one goal of each individual, and all means of obtaining it were lawful in his eyes, and afforded him a means of vengeance on his oppressors. Meek under insult and indignity, sober and frugal in his habits, never neglectful of an advantage, was it strange that all wealth flowed to his coffers, that gradually the oppressors became dependent on the despised foreigner?

The first Jewish immigrants were exiles from Germany and Bohemia.* In 1096 they fled to Poland, where at that time there was more religious tolerance than in the

* Compare Leonard Chodzko's edition of "*Tableau de Pologne*," par Malte-Brun.

rest of Europe. The cruelty and greed of the first crusaders caused this exodus of the Jews. They declared them to be the natural enemies of Christ. In Mayence 1,400 Jews were burnt, 12,000 victims fell in Bavaria. Women killed their children, men killed themselves, to escape baptism and the baptisers. All the Jews fled from Bohemia. They were forced to leave their property behind them, for "since they brought no wealth from Judæa, they must leave Bohemia as poor as they came."

Casimir the Great, instigated by his love for Esther, the beautiful Jewess of Opočno, gave the Jews such civil rights and privileges as a Polish king could grant, which conduced to the advantage of the land; but already in the time of Lewis of Hungary, 1371, they were sentenced to exile. Notwithstanding this, we find them scattered over the whole of Poland in 1386. Christians were forbidden on pain of excommunication to have any intercourse with Jews or

to purchase from them. When they settled in towns they were forced to live in particular suburbs. They were forbidden to practise usury. John Olbracht cancelled at one stroke all the mortgages, which would have brought into their hands the greater part of the estates of the nobles pledged in times of war. The loans were, however, to be repaid with legal interest.

The "Privilegium" of Boleslav the Pious, 1505, is characteristic of the times, and shows that the king was forced to protect the Jews from the universal hatred and oppression of the Christians.* It contains the following sentences: "The corpses of Jews can be removed duty free. For the desecration of a synagogue, a Christian is to pay a fine of two stones of pepper to the woiwode. No one is to put up at a Jewish house. It is false that Jews use human blood. If a Jew is accused of having kidnapped a Christian child, the act must be proved by three

* Jeckel, "Reforms in the Polish Constitution," part ii.

Christian and three Jewish witnesses. If he is not found guilty, the accuser must undergo the punishment that would have been inflicted on the Jew. If a Jew is ill-treated in the night and calls for help, the Christians must come to his aid, on pain of punishment."

Many a resolution of the diet, many a law that would have ruined their trade, many a storm roused by fanatic priests, was averted by their money (Miczynsky says by their "magic"), which won them high patrons. Some writers, however, asserted, "God blesses those who persecute the Jews," and they cited several Polish families as an example.*

According to the Jews there were in 1540

* Ziechowsky declares in his *Ogłos Procesu*, "Since the Jew Alexander did not confess to infanticide under torture, his judges should not have rested satisfied with burning him: they should also have burned his shadow, since it is very likely that the devil, for the sake of a Jew, substituted a phantom, and that the shadow was the real Jew." As late as 1783 Tyskowsky, a monk of the Order of St. Bernard, accused Jewesses of sorcery. (Jeckel, "Reforms in the Polish Constitution," part i. p. 44, and part iii. p. 14.)

500 Christian and 3,200 Jewish merchants, and 9,600 Jewish goldsmiths and other manufacturers. The wealthy Jews began to dress like the Polish nobles; they even surpassed them in splendour. There is an edict of Sigismund II. which forbids their wearing gold chains, signet rings, and swords inlaid with jewels. The Jews had their own diet, every province sent deputies to Warsaw, where they formed a great assembly and elected their own marshal, whose appointment was confirmed by the government. In short, next to the nobles, the Jews formed the most influential and powerful class in the country.

The incredible increase of the Jewish population, supposed to be three times as rapid as that of the Polish inhabitants, was very alarming, as the Jews managed to avoid all public burdens and taxes. Sigismund Augustus resolved, in spite of their objections, to impose a poll tax of one florin per head, and at the same time to discover by

this means their actual number. It was estimated at 200,000, but only 16,000 florins were paid as tax.*

Their power was increased by John Sobiesky, to whom they had prophesied that he would ascend the throne. He favoured the Jews so much, that the senate in 1682 implored him to regard the welfare of the state, and not to let the favours of the crown pass through their hands.

The laws forbidding the Jews on pain of death to trade with the peasants, to keep inns, to sell brandy—laws which were passed anew in every reign—show that they never ceased to carry on these trades, so profitable for them, so ruinous for the peasant.

* "Dites-moi," said King Sigismund to the Bishop of Cracow, "vous qui ne croyez pas aux sorciers, ou que le diable puisse se mêler de nos affaires, dites-moi comment il se fait, que 200,000 Juifs ont pu se cacher sous terre, pour ne paraître que 16,598 aujourd'hui qu'il s'agit de payer la capitation." "Votre Majesté sait," replied the Bishop, "que les Juifs n'ont pas besoin du diable pour être sorciers."

VII.

We have now glanced at the various conflicting elements which composed the state. A powerless king, a powerful democratic nobility divided as to interest and religious belief, a middle class which lived in the state without belonging to it, and the peasants who formed the mass of the nation, without political rights, almost without the common rights of humanity, and living in utter misery.

What a dreadful picture of confusion does this unhappy country present!

At an early date Poland reached a certain standard of culture, but when the nobles robbed the crown of all influence in order to maintain their entire independence, when the people legally deprived themselves of the power of giving laws, it remained at a standstill. While other nations advanced, Poland was centuries behind the age.

At last all administration ceased. The

coinage became a monopoly after 1658, and as Polish money had a higher intrinsic value than that of neighbouring states, it disappeared from circulation or false coinage took its place. It is said that the whole coinage of Poland was twice melted down and recoined abroad. Foreign coins had an arbitrary value. The confusion was so great, that Augustus III. had Saxon money coined in Warsaw on his own responsibility, though not empowered to do so by the senate or the nation, for in his long reign no diet met without being dissolved before it could have given him the necessary authority.

Not only the king, but also the high state officials, were forced by necessity to assume an authority to which they had no right, and which far exceeded that which would have been bestowed on an absolute government. They were forced to exceed their authority, in order to satisfy the most urgent demands. Each one reigned supreme in his own department, and was obliged to exercise a power

over the whole people, which would have laid him open to a charge of abuse from each individual, but which his successor would have been obliged to adopt.

Poland had no ambassadors at foreign courts, the land had no fortresses, no navy, no roads, no arsenals, no treasury, no fixed revenue. The army was small, undisciplined, often unpaid, so that the troops were forced to unite and to encamp before the place of assembly of the diet, and to add an unlawful weight to their lawful demands.

The confederation was the sole safeguard which could be opposed to foreign powers. The kings, who feared a power which exceeded their own, brought intrigue and obstruction to bear on these associations; if they themselves formed the confederation, want of confidence prevented the people from joining them. The once warlike Polish nobles had become weak and degenerate, owing to the luxurious life which they led,

and which was partly promoted by the government.

Nearly all the great estates were burdened with debts and lawsuits. The majority of the nobles had neither weapons nor horses, and formed a tumultuous assembly without order, discipline, or leaders.

On the other hand, it was impossible to run the risk of arming the mass of the nation for the defence of the country. To the peasant, who had nothing to lose, it was a matter of indifference whether he was subject to his territorial lord or to a foreign foe. Every promise of improvement, nay, even a mere change in his condition offered by the enemy, was calculated to make the peasant the most terrible enemy of his master. The mere possibility of an insurrection of the peasants, accompanied by horrors which can originate only in the most excited fancy, and which had already devastated the country more than once, prevented the noble and his household troops from undertaking the de-

fence of the republic ; for, how could they venture to leave wife and children, hearth and home, to the mercy of the furious, unbridled peasants ?

Thus Poland owed its existence to an usurped power at home and its weakness abroad.* Whoever attacked the country with an army intended to conquer it, and for a long time the sole obstacle to this was the mutual jealousy of neighbouring states.

The election of the king and religious quarrels first opened the land to foreign influence. In 1697 an army of 10,000 Saxons put the Elector Augustus II. in possession of the throne contrary to the will of the greater part of the Polish nation. For this reason Augustus constantly required his army in order to defend his crown against the people.

In spite of its condition, though too weak to defend itself, Poland preferred remaining unarmed among its armed neighbours, to

* *Polonia confusione regitur.*

| seeing the army of its king in the country. The diets, anxious to maintain the rights of the individual and jealous of the royal power, energetically insisted upon the removal of the Saxon army, preferring to endanger the freedom of the state, rather than the prerogatives of the nobles. The king was unsuccessful in the wars, which he undertook for the purpose of defending his right to retain that army, which alone could give him any influence. Swedish arms, not the will of the nation, gave the crown to Stanislaus Leszczynski in 1704.

After the misfortunes of Charles XII., Augustus II. returned with a Saxon army to regain possession of the throne. As soon as the king attempted to carry out what had evidently been his object from the first, namely, the firm establishment of the royal power in the state, the confederation opposed him so vigorously, that Augustus was obliged to seek Russian interference and protection in order to maintain his position, and thus he

set his successors a pernicious example, which caused the ruin of the state.

Augustus III. succeeded his father, not by means of Saxon arms, but through the influence and the protection of Russia. In order to maintain his hold on the throne, he became entirely dependent on that power. The armaments required for the twofold conquest of Poland and the wars of Augustus II., the bribes and the luxuries by which he tried to subdue the nobles when war was unavailing, and finally the boundless extravagance of Augustus III., exhausted the supplies of Poland and Saxony.

When during the Seven Years' War the latter country was lost, Augustus, once a powerful elector, became the weakest of kings.

The death of Augustus III. was the signal which had been awaited by all parties at home and abroad, in order to set in motion every power and every passion for the attainment of their object. Politics, patriotism,

treachery, ambition, bribery, intrigue, violence, all these forces were brought to bear on each other, and caused a terrible storm in the republic.

We will select from the midst of the general confusion that party which desired to use the ensuing election for the improvement of the social condition of their country. Many Poles looked on that condition as the perfection of statesmanship. They thought with pride of the rights bestowed on individuals, without considering that nine-tenths of the people were in abject slavery, and that the independence of the nobles was far from being freedom. The weakness of the state which resulted therefrom, did not guarantee the stability of the constitution, since it could not guarantee the existence of the state. The men who held these views were constantly dreading the abuse of power, but they never saw what danger lay in the abuse of liberty. A long apprenticeship in the school of misfortune was needed to

convince them that a change in the constitution was inevitable. There were not wanting men who recognised the grave mistakes in the constitution.

"All our deliberations," said the primate to the diet, "lead to no object. The diets are without results. Few of us can boast of having been present at a diet where freedom of deliberation was respected. We call ourselves a free nation, but we bear the yoke of slavery, and the fear of the sword subdues us. We feel that our dependence is a misfortune, but we have not sufficient skill to help ourselves nor strength to improve our condition, and yet we rush with closed eyes to our ruin.

"All our misfortunes are the consequences of our actions. We are fettered by our own terror, and there is nothing to give us hope for the future, neither strength nor wise counsel.

"We have no fortresses, for they are in ruins, no garrisons, for they are weak; we have no arms, no ammunition, neither safe

frontiers nor an army to defend them. Let us confess that the kingdom is like an open house, a dwelling desolated by storms, a building without an owner, whose weak foundations would collapse if providence did not uphold them.

“Let us look for an instant at the abuses which are well-nigh incredible. The laws, degenerated and despised, are not executed; the tribunals which should judge criminals are abolished; perjury is permitted at the expense of the salvation of our soul and the fatherland. Liberty is oppressed by violence and despotism, the royal treasure depreciated by the introduction of foreign and debased coin. The country towns, the loveliest spots of the land, are depopulated, the advantages derived from commerce are the spoils of the Jews. We must seek for the town in the towns; markets, streets and fields have been so desolated.

“Fifty years have brought this about. And why? Because we live contrary to the spirit

of Christianity and brotherly love, without concord, confidence, and honesty. Let us reflect how such conduct must burden our conscience, how hard it is to restore what we destroy, how great will be the punishment of the avenger, which we call down upon our heads. Let us consider the account which we owe to God and the land, when we subject our boundaries to the danger of being conquered.

“Now, while our liberty, without limits, without restrictions, becomes licence, it needs nothing so much as fetters, to keep it from excesses, that would lead to destruction and slavery. A freedom such as ours is merely licentiousness. Its ruinous influence is felt even in this assembly, and renders it necessary that we should submit to law and order. This diet is the place, where we must subdue the excesses of liberty, which lead to our ruin ; it injures and oppresses us, annuls our laws, obstructs justice, and destroys public safety.”*

* Ferrand, “ Histoire du Démembrement de la Pologne.”

If words like these were spoken in vain to the masses, and were unheeded by those who were interested in the continuance of anarchy, there were yet many who felt their truth. There were always men in Poland who were ready to sacrifice themselves for their country. Though the rotten fabric of the republic threatened to bury in its ruins those who touched it, brave men did not fear to destroy with strong hands the old foundations and replace them by new ones.

But these efforts to bring about a better state of affairs, must be looked on as the final causes of the ruin of the republic.

Among the parties which desired a revolution in the state, we must first name the court, for its hopes of greater independence were based on the general disorder, on the necessities of the country, and the degenerate condition of the nobles, which it had helped to bring about.

The great offices were given away to the most submissive, the nobleman sank to the

level of the courtier, and the solidity of the nation was intentionally undermined. The excess of the evil was to become the dawn of a better state of things. The great mass of the nobles had fallen into the most abject poverty, through that excessive luxury, of which the court had set the example. Whilst about one hundred palatines, bishops, and starosts united, in their households and in their public processions, French fashions with oriental pomp, a far larger number of nobles hired themselves out as servants.* Many of them wanted to devote themselves to commerce in order to emancipate themselves from their deplorable state ; had they done so they would have rendered a great service to the state. The diet of 1677 was foolish enough to declare that commerce, being unworthy of the nobility, destroys all its privileges. And yet the patent of Polish nobility, which

* “ Le gentilhomme sous la livrée, fait-il une faute, le cantchou le corrige. Mais on lui met un tapis sous les genoux par respect pour sa généalogie.”—*Histoire de Jean Sobiesky*, par l'Abbé Coyer.

was formerly sought by foreign princes, was given away indiscriminately. A Jew who left the faith of his fathers became a Polish noble by baptism ; and as the newer nobility is always the most arrogant, these converts made more noise at the diets than those in whose veins flowed the blood of the Jagellons.

VIII.

The Pototsky (Potocki), one of the most important families, formed another important faction. Two brothers Pototsky were at its head, one was the primate of the kingdom, the other the crown field - marshal. The measures of these men were carried out with all the caution necessary for an undertaking which places the existence of the state in jeopardy. The regeneration of Poland was to be the work of the Poles, and it was to be carried out by its own strength. Its great object was the abolition of the *liberum veto*, which had become an unwieldy

instrument, but which was still dear to the majority. The Pototsky looked upon this greatest of evils as the only obstacle to despotism in the present degenerate condition of the nobles. Before they removed it, they thought it necessary to deprive the crown of the power of distributing dignities and offices—a dangerous weapon, since it brought about the subjection of nobles, dependent on the favour of the court. They therefore desired to establish a commission, which was to make these offices not the gifts of court favour, but the reward of merit. These changes touched the interests of the king and the poor nobles too nearly, for them not to offer the most violent opposition.

The Czartorinsky (Czartoryski) and their party were bolder, and brought an irresistible skill to bear on their designs. The unsuccessful efforts of the Pototsky at the diet of 1742, showed that the Polish constitution had reached a point where anarchy itself resulted in stability, where it was impos-

sible for the constitution to develop improvement, and Poland was hurried along on the rushing torrent of history, like a boatman who has voluntarily thrown away his rudder. The very rottenness of the constitution made it impossible to touch it. No power in the state could rise against it, for though each had the means of preventing action, none had the strength to act. As long as the state existed none could touch the constitution. A change meant the overthrow of the state. The very faults which called for a reform, prevented its being effected.

All power in the state being levelled so that no power could arise, this perfect equilibrium prevented every movement. These are most important circumstances, which must never be forgotten, when we judge those who sought the starting point for the necessary revolution outside the country.

Two brothers, Michael and Augustus, the former, palatine of Polish Russia, the latter

chancellor of Lithuania, were at the head of the Czartorinsky family. This family, which, through its glorious descent from the Dukes of Lithuania, had raised itself above republican equality, had filled the first offices in the land, and by means of marriages had attained to great wealth. If, on the one hand, the Pototsky wished to bestow the sovereign power on the great families at the expense of the throne, and by means of its few remaining privileges, the faction of the Czartorinsky, on the other hand, desired to establish it by increasing the strength of the throne, by limiting the power of the great families, and by asserting the rights of the majority. They were the more inclined to this course, because they, the descendants of the Jagellons, felt within themselves the power to ascend this throne, and because patriotism and family spirit were united in them.

The Czartorinsky soon recognised the impossibility of accomplishing the reform of the nation by means of the nation itself,

and they looked abroad to see whence they could derive the requisite strength.

Poland had always looked on France as its natural ally, and a sound policy would always have done its best to assist a reform such as that desired by the Czartorinsky. This was the sole method of raising Poland to a state which would have influence abroad, and France, while it proved its friendship by conferring an actual benefit on that country, would have created for itself a powerful and faithful ally in the East. Though history enumerates a number of factions, which French intrigue stirred up and supported in Poland, yet at the decisive moment we see them constantly deserted and abandoned. These inconsistencies can only be explained by the frequent change of mistresses at the court of Versailles.

In ancient as well as in modern times, France has frequently made use of Poland for its own objects, without ever doing anything for the benefit of the nation. No

other country so frequently held Poland's fate in its hands, no other deceived it so often.

We must add to this the alliance between France and Austria, that strange creation of Prince Kaunitz, which taught the Poles that they had little to expect from the assistance of France. Austria and Prussia had just ended that terrible war, at the conclusion of which Prussia, owing to the glory of its arms, and the greatness of its king, took its place with all honours among the great powers of Europe. Prussia had fought against Europe, Austria against Prussia.

It is usual to estimate the strength of a state by its victories and its successful campaigns, but it is by means of her defeats that Austria gives us the highest opinion of her power and her inexhaustible resources. After a long succession of misfortunes she always remains unsubdued.

Peace was concluded, but neither power disarmed. Each state held its armies of

200,000 men in readiness to renew the war if necessary, and each watched the other jealously. Each country needed and desired peace, and remained armed in order to maintain it.*

Poland could naturally expect no help from either of these powers. If one of them gave assistance, war with the other became inevitable.

The ancient sceptre of the old empire was as threatening as the sword of the young kingdom. Both Austria and Prussia were unanimous in their opinion, that they would prefer the anarchy of the republic, to assisting in turning a good neighbour into a powerful monarchy, which would be dangerous to all adjoining states.

It seems natural, that the Turks should have taken a lively interest in the affairs of Poland; and the renewed and destructive wars, which already at that time Russia waged against that country, might have led

* Dok.ms Denkwürdigkeiten seiner Zeit.

it to support an enemy of its hereditary foe. But the belief of the Turks in fatalism made them divide all Christian powers into enemies who attacked them and enemies who left them in peace. As the Porte had no ambassadors at foreign courts, it saw things only in the light in which the ambassadors of foreign courts represented them. Absolute ignorance of politics was combined with religious dogma, utter contempt for their foes, and a state of perfect weakness. Since the Turks, instead of "encamping in Europe" took up their residence there, since they ceased to subjugate their neighbours, they have lost the power of defending themselves against them. All the institutions which had rendered them so formidable have changed their character, and from a warlike race the Turks have degenerated into a nation whose weakness makes it peaceful.

The Janizaries were no longer the *élite* of the Turkish army; they were no longer Christian

boys who had been kidnapped, and who, without wife, child, or home, followed the splendour of the crescent and lived for fame and booty. The corps was formed chiefly of effeminate Turks, domiciled citizens, who arrogated to themselves the privileges of the Janizaries without being able even to use their weapons. The Spahis, it is true, had not entirely lost their former fame; but their enemies had meanwhile made great progress, and now they came into contact with two obstacles which not even their fanatical, almost insane, courage could overcome, the *chevaux de frise** and the artillery. The remainder of these armies, numbering hundreds of thousands, which the Porte thought it necessary to arm in every campaign, consisted of rabble which were scarcely enlisted when they deserted, in order to enlist anew.

* The *chevaux de frise* were beams provided with six rows of pointed spikes forming a breastwork four to five feet high, which the Russian infantry always carried with them in their Turkish campaigns, and which rendered vain the most furious cavalry attacks.

After a lost battle, 80,000 of these men fled to Constantinople, and the Sultan gave them provisions and ships to convey them to Asia Minor, in order to get rid of these wild undisciplined hordes.

To call in the assistance of such an army was, in the words of the Bishop of Kamenitz, "to set the house on fire in order to get rid of the vermin."

IX.

As Poland had nothing to hope from its friends in Europe, the Czartorinsky boldly determined to use their enemies for their own designs, never doubting, that they could at the right moment annihilate the power which they would be obliged to bestow on them, and destroy the dangerous tool when it had served their purpose. They felt a great contempt for semi-barbarous Russia, but they purposed to use its material forces for the regeneration of Poland; and then, by means of this new and powerful



Poland, to repel the pretensions of Russia, which already pressed heavily on the republic. But the task was begun under the weak government of Peter III., and by the time it was completed, Catherine's powerful hand wielded the sceptre of Peter the Great, and no charm could lay the spirits that had been so rashly summoned.

Russia's development had been thoroughly Asiatic. Although, 1,000 years after its rising, the sun of Christianity cast a ray on these great deserts, gentle manners and customs, science, and intercourse with other countries did not flourish. At an early period the independence of the people was lost in serfdom;* that of the nobles in the

* In the law books of Joroslav (1050) it is said: "A man becomes a serf or slave who is bought before a witness, who cannot pay his creditors, who marries a slave, &c. A horse-stealer is delivered to the Prince, and loses his civil rights, freedom, and property. No Wergeld (indemnity to the family) is paid for a slave, but whoever kills him without cause must pay his lord the value of the killed man."—KARAMSIN, *History of the Russian Empire*, vol. ii. art. 3, "Criminal Law."

absolute power of the princes, and that of the princes in the great states which arose in Kiew, Novgorod, Moscow, and finally in St. Petersburg.

The will of the individual was lost sight of more and more in the will of the state, or rather in that of the head of the state, who united in his person the highest civil and ecclesiastical power, in a manner unknown in any other part of Europe. Hence the unity and strength manifested in the enterprises of the state, and its quick development, for despotism is the best government for barbarians. The Polish annals are thus the histories of great men, the Russian annals the history of a great state. In the former we see the virtues of the individual contending with the faults of the community; in the latter, a line of princes with hereditary power, who force the nation to assume a higher civilization.

For centuries Russia was isolated and cut off from the rest of the world. The great

rivers which flowed from its endless woods, ran into a sea with no outlet, or into regions of eternal ice. Immense deserts separated it from all other nations, and great as was the territory of the new Russian state, its further extension was a *sine quâ non* condition, if it was ever to emerge from its isolation.

In the South it was bounded by insurmountable mountains and immense steppes, in the East by a nation of 400 million souls, civilized for centuries; in the North by insuperable natural obstacles.

Peter the Great roused his people with his iron hand from the sleep of barbarism, but was not able to raise them to a state of civilization, which time alone can give, and which cannot be the work of a moment in spite of the most gigantic exertions. By opening the Baltic for Russia, he opened the first outlet for the political life of his land, and he turned from the wealth of the East to the arts of the West; he gave the impulse which made Russia an European state.

Since that time the conquest of Poland was the aim of the rulers of Russia, and this republic, one of the oldest of European states, discovered with terror that it lay between the two newest monarchies of the continent, and that its geographical position was an obstacle to their further development.

Since the last century Poland had become accustomed to seeing Russian armies within its boundaries,—now to protect the dissidents who were said to be oppressed, then to preserve the rights of the nobles; at one time to maintain the liberty of the nation, *i.e.* the anarchy which was so useful to its neighbours, then again to support the *liberum veto*; for after it had been condemned by public opinion, Russian arms restored its use. At another time they came to support the Saxons on the throne, or again to deprive them of it.

During the Seven Years' War, Poland had to consent passively to the passage of 100,000 Russians, and was obliged to be-

come the scene of their winter quarters—a suffering witness of their excesses and oppressions; it had to provide them with clothing and food. After the peace, 12,000 Russians remained in Graudenz, under pretext of protecting the military stores because they could not sell them profitably. With the exception of Danzig, which protected itself, the few fortresses still belonging to Poland were in the hands of the Russians, who even with a smaller army would have been able to rule over a country, where those who possessed power had no common basis of action; for the confederations themselves, in the hands of the Russians, became a terrible means of subjection.

X.

It was by means of the Russian arms, which had almost subjugated it, that the Czartorinsky intended to free Poland.

This family had so long enjoyed all the

favours of the court, that the loss of this favour could not injure it; it was independent of the court, and had become its most dangerous enemy. Their name, which was associated with great historical events, their extensive family alliances, gave the Czartorinsky great influence over the chief families of the country. Immense wealth, a hospitality in accordance with this wealth and the spirit of the times, made many of the poorer nobles dependent on them. Finally, the extensive privileges bestowed on them by the high offices they filled, caused those to seek their favour who wished to rise through office. All their power and popularity did not suffice to deprive the democracy of nobles of those rights, which gave it the sole influence in the state.

In order to advance their affairs, the Czartorinsky had succeeded in getting their nephew, Poniatowsky, sent as ambassador to Russia, but he had the pursuit of his own ambitious plans alone in view. While yet

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an infant in the cradle, it had been prophesied that he would wear a crown, and this prophecy helped to bring about its own fulfilment.

The strange events of his parents' lives had accustomed them to think nothing impossible, and they gave the child the portentous name of "Stanislaus Augustus." His education was conducted with a view to this high aim, and when still a mere boy he was initiated in the secret of their hopes.*

During his stay at St. Petersburg he was fortunate enough to win the favour of the young grand-duchess, afterwards Catherine II. When Poniatowsky was recalled at the instigation of the grand-duke, her affection changed to passion, and she solemnly vowed that the prophecy should become true.

When she ascended the throne of her unfortunate husband and a new king was to be elected in Poland, she at once prepared to keep her word, either from a romantic

* Rhulière, "*Histoire de l'Anarchie de Pologne*," tome i.

attachment for Poniatowsky, or because it flattered her vanity to give away a crown. Perhaps she really contemplated a marriage with him and the union of the two Slavonic races, or else she was ambitious enough to desire to gain an important influence on European affairs.

Catherine's position on the Russian throne, which she had just ascended by means of a revolution, was not yet firm enough to permit her to take any important step against a nation which was still considered powerful, unless she had a strong party of that nation on her side.

This party she found in the Czartorinsky, who seemed willing to put the nation in fetters in order to prepare it for the designs of the Empress.

The Czartorinsky, without paying attention to the two laws which outlawed those who during an interregnum summoned foreign troops into the country, and which annulled all decrees passed by their means,

demanded that a Russian army should be called in. This was agreed to, as each party was convinced that it was working for itself, and that the other was merely a tool, while in reality both were working into each other's hands.

The great influence of the Czartorinsky was shown in the diet of 1762, when it was found necessary to take measures to prevent the Russian troops from occupying Courland. Violent scenes took place, and the diet was dissolved like so many previous ones. These princes, whose real object was to place all power in the hands of the king, proposed that the offices of state should be distributed by a national commission, and protested against the way in which they were filled.

On the death of Augustus III. the Czartorinsky outvoted every proposal at the diet, which had been convoked for the purpose of introducing reforms in the administration. The fact that they themselves intended to

introduce important reforms, induced them to avoid anything that might awaken the distrust of the nobles before they were in their power. They knew from experience, that their plans could not succeed as long as the nation was free.



At last the moment which was so decisive for Poland arrived—a new king was to be elected. The election was decisive, not so much because it mattered who was chosen, but because of the conditions under which the king elect was to obtain the throne. In order to have sufficient funds in hand for the diet, Catherine stopped all payments in the empire, even the pay of the soldiers.* The Russian revenues, which were to buy

* “Les soldats n’en murmuraient point, espérant bien s’en dédomager par le pillage des provinces polonaises, habitués depuis longtemps à regarder le choix d’un roi de Pologne comme un droit que leurs souverains exerçaient avec quelques efforts.”—RHULIÈRE, tome ii. livre 2.

the Polish deputies, were sent to Warsaw under a large military escort; 12,000 men were encamped before the gates of the town, and were brought thither in forced marches. An army of 60,000 men stood on the frontiers of the republic. The princes Czartorinsky brought 2,000 of their household troops, and were certain of finding a large number of friends or dependents among the deputies, as they had greatly influenced the elections and lavishly distributed large sums of money.

If the Russian party was fully prepared for action, the republicans, who had for the time being combined with the Saxons, were equally ready and fully determined to brave the threatened danger. A sum of 50,000 ducats, sent from Saxony, helped to inspire the multitude with enthusiasm for a cause, which for a long time had been chiefly influenced by money.

Branizki and Mokranowski were the two men on whom the hopes of the republic

were fixed. The former was generally respected on account of a long life full of glory, while the latter aroused the hopes of all by means of his steadfast honesty and courage, which seemed to promise him a glorious future.

The republicans were unable to assemble their army, which consisted of 4,000 undisciplined troops.

The aged field-marshal of the crown therefore marched towards Warsaw with all his household troops, leaving his own estates exposed to the mercy of the Russians. The nucleus of his little army consisted of Hungarians, Janizaries, and Tartars. Radziwill joined him with his troops, filled with the proud conviction, that none would dare to attack the liberty of the republic until he himself had perished. The Oginski, Masalski, Malachowski, Lubomirski, and other well-known families also joined his ranks.

Though this faction was numerically weak when compared with its enemies, yet the

leaders did not despair of holding a free diet, and, if this was impossible, of dissolving the diet which was under Russian protection. Mokranowski undertook the perilous task of dissolving it by his *veto*.

At this time the Prussian ambassador arrived in Warsaw escorted by a squadron of hussars. Warsaw in those days wore a strangely splendid aspect, the like of which was to be found in no other European town. Beside a number of citizens and foreigners whom secret missions or their own interests brought thither, all the powerful nobles and great men of Poland were assembled within its walls. The enormous sums of money collected for purposes of bribery, easily earned and lavishly spent, animated trade in an unparalleled manner.

Articles of luxury, brought from both hemispheres, were exhibited in the splendid shops. Magnificent shawls from Armenia, the expensive toys of Parisian fashion, pearls from India, native horses, all these,

however expensive, found purchasers. Heavily laden vessels sailed up the stream, the streets were crowded by Christians, Jews, and Mussulmans. The turban of the Janizary, the dolman of the Hungarian, were seen side by side with the fur cap of the Pole. Beside the carbine of the Prussian and the bayonet of the Russian appeared the bow and arrows of the Tartar. The crowded balls and banquets, the beauty of the women, the splendour of their assemblies, seemed to betoken a great national festival. But the houses of the nobles were surrounded by their troops. Poniatowski had provided his palace with loopholes, and cannons stood in the courtyard of the Russian embassy. Every one was armed, and though as yet all was at peace, every one trembled lest an accident, a quarrel, might prove the spark which should cause a terrible explosion in a place where personal passions and important interests were strained to the highest pitch, so that violent

outbreaks were well-nigh inevitable. The 7th of May, 1764, arrived, the day fixed for the opening of the diet.

The guards were doubled, strong detachments of cavalry filled the streets, five hundred grenadiers protected the palace of the Russian ambassador, Von Kaiserling, and the Russian army was drawn up in order of battle before the town, ready to enter at the word of command. The adherents of the Czartorinsky, distinguished by a cockade of the colours of the family, went to the house of assembly accompanied by a large escort.

The house of assembly was surrounded and filled by Russian soldiers, who even appeared in the seats of the deputies. When the marshal of the diet, Malachowski, entered accompanied by Mokranowski, the assembly waited with intense interest for what should follow. When the latter had taken his seat as deputy, he addressed the assembly in the following words :—

“As liberty has disappeared from among us, as Russian troops have entered into the very midst of the assembly of the republic, and as the representatives of our country wear the livery of a family, in the name of twenty-two senators and of forty-five deputies, as well as in my own, I declare the diet annulled and dissolved.”

A fearful uproar arose at these words. The marshal of the diet, who stood in the centre of the hall with his staff lowered, was asked to raise it, as a sign that the diet was opened. But the marshal, an old man of eighty years, replied, “You cannot deliberate in the presence of the Russians. You may cut off this hand, but never shall it raise the staff while we are enslaved. A free nation entrusted it to my care, a free nation alone can take it from me. I demand permission to leave the hall.”

A general tumult took place, all swords were drawn, and the daring speakers were surrounded. The Russians rushed from the

galleries towards the latter, but the Czartorinsky gathered round them and protected them with their own bodies, horrified at the disgrace which the murder of two men, so universally respected, would have brought on their enterprise. They succeeded in saving them from the rage of the multitude. Malachowski carried off his marshal's staff in face of the Russians, the deputies, and the people.

The following morning the republicans left the town. They had been requested not to pass through the Russian camp, but Branizki answered, "I do not ask where the Russians stand, but shall take the usual road." In profound silence, prepared for battle, the republican army passed along the Russian lines. Neither greeting nor challenge was heard, and with tears in his eyes Poniatowski saw many a true friend of the country separate from his cause.

XII.

All these events had been foreseen by the Czartorinsky, and they were fully prepared for them. If they wished to attain their great object, the reconstruction of Poland, they must not allow themselves to be moved by the fury of the people, the hate of all honest patriots, the appearance of treachery, nor the danger of subjection.

The diet was legally dissolved by the protest of Mokranowski, but in reality the presence of the Russian army, and the fact that the Russians had prevented the election of the deputy of the Prussian nobles at Graudenz, had already sufficed to render it illegal. Might had to take the place of right, and therefore the Czartorinsky made use of that power, which they had obtained by dint of so many sacrifices.

The few remaining deputies, who were not entirely dependent on the Czartorinsky, were outvoted or deceived. The princes amused

the mass of the people with unimportant discussions, or sacrificed the demands of the dissidents to their fanaticism, so that as far as their rights were concerned the latter saw themselves placed on a level with the protected Jews. It was not till the greater part of the time appointed for the diet had passed, that they brought forward their important affairs, which were clothed in ambiguous phrases, and discussed with such haste, that the majority hardly knew what was the subject under discussion. The foreign ambassadors had declared against the abolition of the *liberum veto*, but the princes, though obliged to yield on this point, managed to evade this law almost entirely by means of new decrees.

The high officials in the departments of finance, law, war, and police, had hitherto been so many independent sovereigns. These men, the natural opponents of the intended reforms, were all deposed. Michael Czartorinsky, the chancellor of Lithuania,

voluntarily laid down his high office. In each department a court, consisting of sixteen members, was to be named by the diet, and the king was only to appoint them when it was not assembled. But as it was evident that as long as the *liberum veto* existed no diet would be able to finish its sittings, this terrible *liberum veto* served to extend the power of the king.

It was also decided, that all proposals and matters of business which had direct reference to the welfare of the republic, should be decided at the commencement of the diet in due legal form by means of the majority. This expression was so vague, that all manner of affairs could be included in it, and it was little less than the actual abolishment of the *liberum veto*. Poland now became strong enough to hold its own against foreign countries. Order was restored in the different branches of the administration by means of various decrees. The war department was entrusted with

the recruiting of the troops, with the instruction, discipline and maintenance of the army, which was to be increased. As regards the judicial department, the peasants once more received a court of justice. The power of the nobles was broken, those offices which were almost independent of the king were abolished, the arbitrary conduct of the nobles towards their subjects was restricted, the privileges of the great cities, of the provinces, and of the religious sects were abolished, and all were subordinated to the government. On September 7th, 1764, Stanislaus Augustus Poniatowski ascended the throne, which his uncle had strengthened and endowed with such important privileges. The four regiments of guards were placed under his immediate control, the postal service and the mint were placed in his hands, and he was allowed to choose for himself four of the most important domains belonging to the nobles.

In this manner the chancellor of Lithuania succeeded in changing the anarchical administration into an actual monarchy.

What was ostensibly a reform of a few departments, amounted practically to a reconstruction of the constitution. In order that in the eyes of foreign countries Poland might still appear to retain its former constitution and its former abuses; in order, too, that the nobles might be forced to submit to the new state of affairs and arm against foreign foes, the diet at the end of the session was changed into a confederation at the head of which a Czartorinsky was placed.

Never before had an undertaking accompanied by so many difficulties been so boldly planned, so skilfully and apparently successfully accomplished.

The presence of foreign enemies had kept in check the enemies at home. The threats of plunder and violence on the part of the Russians were a powerful weapon in the hands of the princes. Their arms subdued

the nobles, and the confederate nobles were able to protect the new constitution with the means which created it.

The princes had made use not only of the Russian arms, but also of the passions of the Empress. Since their pride had made the sacrifice of a crown and of the splendour of an unstable throne, they were certain that they would be able to retain the exercise of all their rights in the newly-founded monarchy.

Those who had helped Poland did not discover, that the land had received a new constitution, and that the foundation of a strong monarchy had been laid, until this well-nigh incredible event was consummated.

The new sceptre of Poland wanted nothing but a powerful hand to wield it, but Stanislaus Augustus was not fitted for this difficult task. He was terrified at the thought of a war with Russia and of a revolution of the discontented nobles. But when he separated

his interests from those of his uncles, he renounced both their creation and Poland. When he placed all his hopes on the generosity of the Empress, he became the victim of her policy.

The ruin of the republic, and the final division of the country, were the natural consequences of the internal condition of the state, whose existence had become impossible; so that we can only feel surprised that it continued to exist so long. The constitution of May 3, 1791, was a last effort to save the existence of the country by the reform of its institutions. After their long apprenticeship to sorrow, the Poles learned to seek the foundation of a wise administration in the greater power of the crown and in its hereditary character, in the abolition of the *liberum veto*, in the emancipation of the middle classes, and in the granting of a certain amount of freedom to the peasants.*

* With regard to the insufficiency of this constitution, and to the difference that existed between what it was intended

But this effort came a hundred years too late and had no effect on the fate of the country.

XIII.

The dismemberment of the republic was bound to cause its complete destruction, and with dismay Poland saw her children in the ranks of the foe.

Another reason why social reforms, instead of taking root in Poland, only served to bring about the downfall of the republic, is to be found in the fact, that those classes of society for whose benefit the reforms were meant, had not yet been called into existence, or else stood so low in culture and

to do and what it actually effected, we can say with Mably: "On ne peut attaquer directement les abus les plus considérables sans effaroucher les citoyens qui trouveront un avantage à les conserver. Cette multitude innombrable se liguera, elle conjurera contre la patrie; et ses efforts réunis empêcheront sans doute qu'on ne pût fixer les principes du gouvernement. Combien de législateurs n'ont pu réparer la faute qu'ils avaient faite de montrer ou de laisser entrevoir toute l'étendue des projets qu'ils méditaient."

influence, that it was useless for the reformers to look to them for aid and support.

Finally, the position of Poland made it a stumbling block to two powerful neighbours, who had in the last centuries made immense progress, and whose rapid development was certain either to bring about their own ruin or to annihilate all obstacles. The formation of the land alone sufficed to bring Poland into collision with Prussia, a fact which became patent from the moment when these states emerged from their barbarous isolation. When Russia deprived Poland of the Black Sea, all its rivers and means of communication led through Prussia—Prussia separated it from the sea and the mainland. The Vistula was the pulse of Poland, but the mouth of the river was in the hands of Prussia. It is impossible, in fact, to see how Poland could exist without Prussia. It was impossible that the possession of Danzig, or free navigation on the Vistula, should suffice for its existence. Woe to the land

whose existence depends on title deeds which cannot be guaranteed by its own strength. Sooner or later Prussia must have become Polish, or Poland Prussian, or the republic must have ceased to exist. The probable fate of the state, if it had summoned to its throne a Brandenburg prince instead of a Saxon, is an interesting subject for reflection. The threefold partition of Poland did not end the numerous convulsions of the country, and after it had ceased to be a state, that unhappy land still remained the scene of revolutions.

Many Poles emigrated after the catastrophe of 1795, which decided the fate of their country; those who were capable of bearing arms, gradually enlisted under the French flag. It is well known, what distinction the Poles won in the splendid campaigns in which they took part, and which were destined to raise France to that supremacy which lay so heavily on all Europe.

The Poles, who looked on their rulers as

oppressors, and sought their welfare in the restoration of the state, placed their hopes on France, their oldest ally, their natural friend, for whom they had just fought with more success than for themselves. Surely Napoleon, the arbitrator of the world, who had founded so many new realms on the ruins of those he had destroyed, was capable of cementing together the fragments of one of the oldest powers, which had ever been his faithful ally.

When the peace of Tilsit enabled him to give away one-half of Prussia, and to overwhelm the remainder, he actually formed an independent state out of that part of Poland which had belonged to Prussia, namely, the duchy of Warsaw. This new Polish duchy received a French constitution and a German sovereign, the king of Saxony. The diets were re-organized and divided into two chambers; the French code was introduced and villeinage abolished.

Let us glance for a moment at the course

of events, and see what it was that aroused the enthusiasm of the multitude. A surface of 1,800 square miles, with a population of one million Poles, had been formed into an independent duchy, and the new state was soon to feel the whole weight of its political existence.

The proximity of Russia and Austria rendered necessary an army which had no connection with the inhabitants of the land. It is true that a respected and paternal ruler had been given to Poland, but Saxony itself was not of sufficient importance to save the country from the oppression of Napoleon. The levies for the French armies, which were forcibly supplied by means of the conscription, robbed the land of its strength. The civil list, which was drawn up on a high scale, and the endowments of the French marshals, exhausted its revenues. But it was, above all, the "Berlin Decrees" that exhausted the sources of wealth which might have been of such benefit. Trade ceased,

and the Poles suffered great want in the midst of their manifold productions.

To these great sacrifices was added the conviction, that the new duchy would be the scene of the first war between France and Austria or Russia, and that it would be deserted by France and by its own troops. For the army, which was supported with so much difficulty, was not even destined for the protection of the land, but was distributed in the Prussian fortresses, or was fighting in Spain.

The duchy was heavily burdened by its constitution as well as by the obligations of the country, which were out of all proportion to its size; but many were of opinion, that in this they had a safe pledge that Napoleon had only formed the framework of a new state, which was subsequently to be filled in by an united Poland. The greatness of the sacrifices which Poland made for France, seemed calculated to arouse great expectations. Napoleon himself expressed the inten-

tion of restoring that kingdom. At Berlin, Posen, and Warsaw, he had received the Galician deputies, and he had himself sent emissaries to Lithuania.

Some of the Poles, on the other hand, began to think that little was to be expected from the generosity of the Emperor. The readiness with which, at the treaty of Tilsit, Bialystok had been ceded to Russia, led them to think that Napoleon would have sacrificed the rest of Prussian Poland, if his interests had required it. He demanded money, arms, men and horses, and paid his debts with hopes for the distant future, and with indefinite promises. It seemed to them, that Napoleon had a high opinion of the Poles as soldiers, but thought little of their statesmanship.

Kosciusko was probably of the same opinion. A word from him would have been worth an army to the Emperor, but the most faithful friend of his fatherland remained silent, and the most splendid promises of

Napoleon could not induce him to take part in the creation of that new Polish duchy.

XIV.

If, on the one hand, the educated classes, in whose minds lived patriotism and hope, felt themselves deceived, the citizens and peasants, on the other hand, saw their misery increased.

That high taxes, the "Berlin decrees," and the instability of political existence in the country proved ruinous to trade, needs no proof. The result was that the newly-founded factories, which had cost Prussia many millions, were almost ruined.

The peasant had been emancipated. The principle for which France had fought so long and with such success, did not permit its ruler to perpetuate the slavery of a nation. He therefore declared, with great ostentation, that all villeinage was abolished; "enforced service and the burdens of the

peasant could only be the result of a contract. House, farm, and land belong to the lord, but the peasant is absolutely free."

The result of this law was that the peasant could annually be deprived of his farm, and must leave it without receiving any compensation; the right of emigrating and carrying on his trade abroad, even in the lowest grade of society, would have provided him with an endurable existence. But habit, poverty, ignorance, and his native language, bound the unhappy man to his land, and the only use he could make of his freedom was that he could leave a place where things went ill with him, for another place where he was not better off. Villeinage was a benefit, compared with such freedom. The misery of the peasantry now reached its height, and the words of a peasant, "nothing is mine but what I drink up," were at the same time a proverb and a terrible truth. For life had no joys for them, but such as they found in intoxication, and no hope save

that in another world, which their priests held out to them.

When in the war of 1812, which Napoleon called the second Polish war, the general confederation at Warsaw announced the restoration of Poland, much was wanting to make the enthusiasm universal. Lithuania was too much influenced by the example of the duchy. Its nobles had been kindly treated by Russia, they were flattered by the respect paid to their customs. Alexander also roused their hopes for the unity of Poland, in a peaceful manner, under Russian sway. France freed their peasantry and demanded great sacrifices. Its armies, made up of ten nations, were forced to commit deeds of violence, sack towns, villages, and huts, and desolate the land to keep themselves from starvation.

The duchy had made tremendous exertions, it had raised and armed an army of 60,000 men. The expenses were over 100 millions. The yearly revenue was 40 million

florins, the deficit of the year 1811 was 21 million florins of unpaid taxes, which had to be paid in kind. There had been very abundant harvests for five years, but the land had no longer any export. In the north, the "Berlin Decrees" closed Danzig; in the south, Odessa was closed by the Turkish war. In 1812 the crops failed. The taxes were increased, but no duties were paid, and many landowners made their lands over to the treasury-commission, because they could not afford to pay the taxes. The public functionaries were no longer paid, the contractors had fled. The payment of 7 millions which France owed for supplies, was refused with trivial excuses. The salt-mines of Wieliczka were already pledged for 12 millions. For the month of June, 1812, Napoleon had advanced the pay for the army; but it was entirely stopped in July, and the payment was never afterwards resumed. At the same time, the French armies marched through the land, plundered the inhabitants, and led

away peasants and horses. Their number increased. Sick or well, they had to be clothed, fed, and provided with everything. Warsaw was the chief magazine, the principal hospital and ammunition store. When the Durutte division arrived there, rations for 64,000 men were served out, less than 6,000 were ^{as} ~~never~~ distributed.

Since we are considering Poland with regard to the state of its interior and its social condition, it was necessary to refer to the episode of the duchy of Warsaw, not because it was an event which hastened or established the development of that condition, but because it partly hindered, partly retarded it, by destroying much that Prussia had created at great expense. The fate of the Polish nation varied, since it was in the power of such different states as Austria, Russia, and Prussia. Whatever we may think of the partition of a state, in one respect it is certain, that the majority of the nation received immeasurable benefits with

regard to the administration of the police and commerce, when they were subordinated to nations which were in advance of them in these matters. They were placed by force in a condition which the constitution of May 3rd, 1791, even if it had been carried out and had continued to exist, could never have effected.

But no one likes to be forced, not even forced to be happy; how often, too, has an idea been valued more than an actual advantage.

It was, moreover, impossible to formulate any measure for the public good which did not, in some way or other, oppose the interest of the nobles; for the simple reason that they were already in exclusive possession of all privileges. It was therefore inevitable that they should suffer for the moment from any changes which must necessarily take place. These changes were not only contrary to their interests, they also diminished their privileges, which had become hallowed by

two hundred years of undisturbed possession. And though their ancestors had usurped their privileges, it was not the fault of those who now suffered by their abolition.

In addition to this, the downfall of their country was strongly felt by the nobles, the only educated class in Poland, though perhaps by them alone; imbued as they were with a feeling of nationality, their interest and their patriotism were wounded at the same time.

It was therefore difficult for the government to watch and hold in check this large, powerful, and influential class of citizens, and at the same time to act on liberal principles; and this must never be overlooked, when we are inclined to criticise unfavorably its actions and the resistance, secret or open, which it encountered.

XV.

In order to give an idea of the way in which the different governments strove to

fulfil their task, we will mention the following measures referring to the Austrian part of the country, measures which at the same time throw full light on the existing state of affairs in the interior.

The nobles were in the first instance ordered to remove all cannon and ammunition from the land, on pain of confiscation (Law of April, 1776). The sale of the nobles' estates could only be effected on payment of a duty of 10 per cent (September, 1781), and strangers who were not naturalised could not buy estates in the country. Permission to leave the land was only given to those who had reached their twenty-eighth year. Those subjects who did not spend half the year on their estates in Galicia, had to pay double taxes (Law of 1788, repealed in 1790). The landowners were forced to advance their peasants corn for sowing; where this was not done, the state provided corn and paid itself for the loan by sequestrating the lord's land (April, 1787).

The estates had to be surveyed at a great expense. This expense was covered by a land-tax, for a portion of which each village was responsible, and which the landlords collected from the peasants.

The landlord was answerable for this tax, as well as for all oppressions on the part of his servants and stewards (June, 1784), &c. It cannot be denied that many of these measures, which were beneficial for the whole, must have seemed oppressive to many privileged individuals, especially when they attacked personal liberties, and that the nobles did not find themselves compensated by the fact, that the woiwodes or starosts were raised to the rank of counts, and the deputies of the districts to the rank of Austrian barons.

We must not pass over what was done by the government for commerce and industry, which had sunk so low. Already in 1809, in Galicia alone, 250 miles of roads were laid down. The mines, which had fallen into



decay, were industriously worked. The salt-mines of Wieliczka, which during Polish rule produced 600,000 cwt. under favourable circumstances, produced in 1809, 1,700,000 cwt. of salt, and the smelting furnaces of Jakubeny produced more than 4,000 cwt. of iron. The breed of horses was improved by excellent studs, and not only supplied the cavalry of the greater part of Austria, but allowed of a considerable sale abroad. Galicia had over 311,000 horses in 1817. Trade and commerce were left principally in the hands of the Jews. On account of their enormous increase this race could not fail to attract the attention of the government, especially in Russia and Austria,

XVI.

As the Jews marry when they are still almost children, they are soon surrounded by a numerous progeny. Their number shows

an incredible increase, and we may assume that in the census of each nation it is put too low.

The following statistics will give some idea of the extent to which they have spread, especially in the towns.

Posen contains 25,000 inhabitants, of whom 5,000, that is one-fifth, are Jews.

Warsaw, with 130,000 inhabitants, contained in the year 1807 about 9,000 Jews, who rapidly increased, so that in the year 1822 their number had risen to 27,000, and they thus formed one-fifth of the population.

Lemberg has 50,000 inhabitants, of whom 15,000, *i.e.* almost one-third, are Jews.

In Wilna, 30,000 of the 50,000 inhabitants are Jews, therefore they form three-fifths of the population.

In Brody two-thirds of the 25,000 inhabitants, *i.e.* 17,000, are Jews.

In the open country the Jews are certainly not so numerous, but even if we survey the

inhabitants of the provinces their number is surprising.

The province of Posen contains 980,000 inhabitants, but one-fourteenth of the population, *i.e.* 70,000 souls, are Jews. One-thirteenth of the 4,000,000 inhabitants of Galicia, *i.e.* 300,000, are of Jewish race. The kingdom of Poland numbered 3,700,000 inhabitants: one-ninth, *i.e.* 400,000, were Jews. Lithuania, Samagitia, Volhynia, Podolia, the Ukraine, White Russia, number 8,800,000 inhabitants, of whom 1,400,000, *i.e.* one-sixth, are Jews.

The totals are as follows: 17,480,000 inhabitants—15,410,000 Christians, 2,070,000 Jews.

An eighth of the Polish population consists of Jews, and this greatly exceeds the number of inhabitants in kingdoms like Wurtemberg, Saxony, or Denmark. In those provinces where Jews are least numerous, every fourteenth person is a Jew; in others it is every ninth person; in the

most important towns at least every fifth man is a Jew ; in others, out of three people two are Jews.

These aliens were formerly forced to live in the suburbs of the towns ; now they have transformed these suburbs into towns. Their district is marked by a gate consisting of two posts which are joined by an iron railing, and often the walled synagogue rises above the wooden church, which is richly decorated within, but half in ruins. In the country towns the Jewish houses are certainly miserable huts, but they are better than the houses of the Christian citizens. Their costume is the same everywhere, and quite Oriental, flowing black garments fastened as far as the waist with many hooks, and reaching to the ankles, high fur caps, worn even in summer, and under them a black cap, their heads shaved with the exception of two long ringlets on each side, and long beards. Except when travelling they wear slippers ; their costume, the great poverty

of the majority, their uncleanness, render their appearance more conspicuous than agreeable.

All Jews, even those in Lithuania, speak German, a circumstance which is of great use to travellers, who are seldom acquainted with the difficult language of the country. The majority also speak Hebrew, and a certain superiority is conferred on them by their ability to consult in the presence of the lower classes without being understood.

A stranger is astonished at the number of these people, who sit idle before their doors in the sun and converse with the vivacity of gesture and expression, which is peculiar to their race.

Thousands of them are found unemployed, and yet they exist.

Many of them are mechanics; they are tailors, upholsterers, carpenters, cabinet-makers, rope-makers, weavers, millers, &c., but, above all, they are watchmakers and jewellers. In the large towns they crowd

round the travellers and hire themselves out as "factors," a kind of hired servants who, for a trifling sum, punctually carry out all commissions. They know everything, or make the necessary inquiries, provide all that is asked for, and though their importunity is tiresome, they are indispensable.

The inns everywhere belong to the Jews. The Polish traveller, with his excellent horses, of which he is used to drive five, makes very long journeys, and remains wherever he is at nightfall, without making a choice. The rich take with them their cook, their plate, their Hungarian wine; every one takes his supper, several cushions and carpets, which are to be his bed, and even his forage. None of these things are to be found in the inns, and the stranger who comes unprovided would run the risk of starving, if every manor-house did not offer him a hearty hospitable reception, on which he may count everywhere.

The Jews derive still greater advantages from the fact, that it is they that first give a value to the produce of the land, which they work for the owner or turn to money. The mills, distilleries, public-houses, are inexhaustible sources of wealth, and the whole produce of the estate often passes through the hands of the Jews. From the Jew who has rented a village public-house the landlord obtains most of his income. This Jew, on whom he knows he can safely vent his ill-humour, and with whom he cannot dispense, receives from him the chief power over the peasantry without mercy, and without consideration for the oppression which such a man will exercise. All his purchases are made through the Jews.

The Karaites are a notable exception; they reject the Talmud, and keep to the text of the Bible. They are mostly agriculturists, and keep themselves quite apart from the other Jews, who are their greatest enemies. There are between four and five

thousand of this sect, who live chiefly in Lithuania and Volhynia.

Much has been done lately for the moral improvement of the Jews. The Emperor Joseph thought, that the race was naturally not more depraved than other nations; that it would not conform to the duties and habits of citizens, because it was deprived of all civil rights and advantages. Normal schools were founded, which, in spite of all opposition, even the girls had to attend. Without the school certificate, no youth might be instructed in the Talmud, no marriage could take place, and no apprentice be freed.

No restriction was placed on the exercise of their religious customs, but no man might marry before eighteen, no girl before sixteen; the Rabbis were deprived of their jurisdiction, and they were not allowed to excommunicate any one. Fourteen thousand Jewish families were actually established as agriculturists, and the Jewish communities paid for the

purchase of the land, the necessary tools, and the erection of the farmhouses.

An important law, which enacted that no Jew can dwell in the country unless he be a mechanic or a farmer, was repealed in 1792. On pain of banishment they were forbidden to buy from the peasants the uncut corn, the unborn cattle, and the unshorn wool, which had usually been sold beforehand for drink in the public-houses. The Jews in Galicia are liable to military service, but they are only employed in the baggage train, unless they voluntarily desire to use a gun. In the wars of 1813—1815, over fifteen thousand Jews enlisted under the Austrian flag. The Russian Jews are liable to military service since 1827, the Prussian Jews since 1817.

XVII.

The most important regulation in favour of the Galician peasant was passed by the Emperor Joseph, April 5th, 1783, when

he abolished villeinage. Those subjects who had no houses were allowed at once to leave their masters, and were not forced to stand guard. Statute labour continued, but in July, 1786, it was regulated and modified.

The immaturity of the peasants is best seen by the laws made in their favour. No one was allowed to lend them more than three florins. No one was to give them brandy on credit. Henceforth they were not compelled to buy a certain quantity of brandy from their masters, and the government sought to lessen the consumption of brandy by establishing breweries.

No special laws were made in Prussia for Polish subjects, but they were subjected to those laws which were in force in other provinces; it was the easier to do this since the number of Poles under Prussian rule was comparatively small.

It was a heterogeneous element that was added to Prussia in the shape of Poland, and the greater the local importance of

this addition to the land, the greater was the necessity for amalgamating it with the whole. The strong desire of all the Poles to preserve their nationality even amidst the dismemberment of their country, and to see herein the sole and last pledge of their future re-union, brought them into conflict with the natural tendencies of the administration.

Those institutions which in Prussia were the result of the gradual development of the people, were in the new province called into life at one stroke. Neither the spirit nor the mind of the people was prepared for them. Wherever enlightenment had not prepared the way they caused surprise, and the extension to Polish subjects of the laws which had been created for the monarchy was for them a revolution.

The equality of all classes before the law, and the protection of the lowest by means of the law, were natural consequences of the union with Prussia. It accorded the oppressed peasant protection from excessive

ill-treatment. But as the Prussian law only alleviated the existing burdens when a diminution of the incomes had taken place, for example, when the fields were flooded or sanded, &c., and as such a diminution of income can only take place where there is any income, the condition of the peasant who had nothing to lose but his life was not improved. Common measures were of no avail to lessen so great an evil. Yet an improvement, in the condition of the peasant, was absolutely necessary; agriculture had reached its lowest stage.

Since the former customary "three-field system" robbed the land of its strength, even when cultivated by the owner, how much more must this have been the case with a farmer, who held the farm for a year and who was new to the place.

The fields lay waste, the dwellings were in ruins. No peasant raised his hand to restore his hut, which threatened to fall in upon him, and in which he had no right of

ownership. Though wood, straw, chalk, and stones abounded, and nature had provided all building materials in the fields which surrounded the wretched villages, still the peasant never dreamed of using them, for he did not know if next year he might not be forced to leave without compensation, what he had built to-day. No fruit-trees, no gardens surrounded the dwellings, for before the fruit ripened he who planted it was possibly evicted ; there were neither hedges, ditches, nor fences, for there was nothing left to be protected or to be hedged in. Even the animal world degenerated under the curse of serfdom. Nowhere were more miserable horses than those of the peasants in Poland, which is celebrated for its splendid breeds.

It is easy to understand the reason : the common peasant used a two-year-old horse, overworked it daily, never tended it, and gave it most miserable food. If the cattle of the peasant died, his landlord had to replace it,

else he could not do the work which was due to his master. The landlord had to do everything; he had to rebuild houses, which might have lasted for a long time, if the inmates had repaired them; he had to replace things, which might have been used for a long while, if the owner had been careful, but that owner had no interest in their preservation. Bread, it should be remembered, was a rarity for the peasant in the great granary of Europe; potatoes were his sole nourishment. They were his daily food, and unfortunately his only drink. When the potato store was exhausted, usually early in the year, the peasant expected to be miserably fed by his landlord. He begged everything from his master—medicine in his sickness, boards for his coffin, masses for the salvation of his soul.

This is not the Polish peasant of the middle ages, but under Prussian rule. This condition of things continued in all the vil-

lages where the relation between landlord and peasant remained unaltered.

One of the most important laws of that epoch was the edict of September 14, 1811, which regulated that relation, and which, extended to Posen when this province was retaken, has revolutionised the condition of the peasant, and must continue to do so. We must therefore refer to the fundamental principles of this edict.*

According to the general principles of public law and political economy, the right of the state to ordinary and extraordinary taxes and dues is paramount, and the dues to the landlord are limited by the fact that he must leave the peasants means to exist and to satisfy the state.

Their ability to do this can be taken for granted, where the taxes due to the landlord do not exceed one-third of the income of a hereditary estate.

The rights of the landlord could therefore

* Compare the Prussian Code, part i. p. 281.

never have been greater, or, if they were, it was illegal. While the above edict gave all peasants, small farmers, cottagers, &c., the right to two-thirds of the land they had hitherto used, and freed them from all demands of statute labour which were connected with this use, it gave at the same time the landlord one-third of the land as equivalent compensation. The new owners had to give up all claim to the obligations hitherto fulfilled by their landlords, namely the repairing of buildings and furnishing of all agricultural implements, the liability for public dues and taxation, and various kinds of support which he accorded them; the willingness to afford this help was certainly absent.

The landlords naturally looked on the measures as severe and injurious, especially when they compared them with their former privileges. "They compensate us," they said, "with what is already our property, they increase the size of our fields, which

are already too large, and they rob us of the hands which tilled them for us. Even if we would look on the cession of one-third and one-half of the peasant-lands as a compensation, it cannot be compared with what we lose. The fields are badly cultivated and therefore of little value. The sloth and idleness of the peasants will make labourers scarce and wages high; since they must be paid chiefly in money, it will be almost impossible to pay them. The duties from which we are freed did not burden us, our extensive forests provided us with the means of fulfilling them. The surveying of the estates, and the special commission, cause us great expense, and we are subjected to the exactions of subordinates, who are always inclined to side with the peasant against us, and this is done in matters where our property depends on the insight, impartiality, and honesty of the commission.

“ This reform will, however, be of no avail

to the common people, at least not to the poor peasants.* He has lived in such a state of tutelage that the dangerous privileges accorded him, namely the right of encumbering his property with debts and of selling it, are sure to bring about his ruin. Even now the mere prospect of these new rights induces the greater part of the peasants to pledge their farms to the Jews, so that after being entirely lost to the owners they are placed in the hands of persons who will not husband them, but who will transform them into merchandize.”

XVIII.

After having described the relation of the peasant to the lord of the manor, we need scarcely say anything more about the neces-

* It is true that it was necessary in some places to compel the peasants by force to accept their new property. But this proves nothing. The same fact occurred in France under Lewis IX. The serf cannot appreciate freedom before he knows it.

sity of coming to his rescue, nor about the justice of the measures that have this object in view. With regard to their utility, however, it might be advisable to determine the point of view from which we should judge, the reasonableness or unreasonableness, of the complaints raised against them.

Until now the great landowner had tilled his immense fields by forced labour; the labourer had no interest in the success of his work, and the produce passed through the hands of subordinates; it was therefore impossible, that the land should have the same value in his eyes as in those of the small landowner, who ploughed, sowed, and reaped for himself, and left nothing unused. He alone can offer the highest price for the land, even the fourfold amount of that which it yields, to the great landowner. Evidently the value of the land is increased by decreasing the extent of property and increasing the number of owners, especially in a country

like Poland, where the produce of the fields can be so greatly increased, where endless woods, which bring in nothing, cover excellent wheat-ground, and where only workmen are wanted to make the soil available. Agriculture—and in this it differs from industry—can attain a height of perfection which cannot be much improved upon, and in many Prussian provinces this height has been reached.

In Poland a great deal still remains to be done by industry and diligence. The surest means of attaining this, was by distribution of property. The peasant is now certain that he is working for himself and his family, that every improvement, even if he does not live to see its result, will benefit his children, among whom he may divide his property at will. It is no longer a question of obtaining the greatest possible value from the land in a short time, without caring whether its fertility is thereby injured, but it is in the interest of the owner to keep it

in the best possible condition. Though day labour costs more than forced labour, the former is incomparably the better system of the two; agriculture gains more hands, and owing to their voluntary exertions, every workman does more work than formerly.

The state has obtained at last a numerous and valuable class of landowners, who, because they are bound to it by interest, are faithful and trustworthy subjects; a circumstance which should not be forgotten. A revolution may bring loss to the new owners, and as they form the mass of the people, their increasing power furnishes the best guarantee to the government. - 12

Nowhere does the comparison between the old and new condition of things become more evident, than in the province of Posen, where extreme contrasts are met with, and where a few hundred paces bring the observer from villages, which one would not expect to find in Europe, to others, where there

are clean houses, with gardens and fruit-trees carefully fenced in.

Schools were founded, factories established, and trade was raised by abolishing all restrictions. The Prussian government may now hope, in course of time to bring about the liberation of the peasants, and to change the greater part of them into land-owners—a change which even their rulers thought impossible, and which would have been so for centuries in independent Poland. From whence could the government have derived sufficient strength to resist the opposition which was raised to uphold selfish interests, whence could have come the authority which was needed to subdue unlicensed passions? Such laws could only be carried out under the rule of a stable, highly developed state like Prussia, if the land was to be saved from revolutions and violent reactions.

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